

collateral attack on the State Board's proceeding, whose order suspending her state authority remains in effect as of this date. The Agency has held, however, "that a registrant cannot collaterally attack the result of a state criminal or administrative proceeding in a proceeding under section 304, 21 U.S.C. 824, of the CSA." *Muzaffer Aslan*, 77 FR 37068, 37069 (2012) (other citations omitted). "Rather, Respondent's challenge to the validity of the [Nursing Board's] Order must be litigated in the forums provided by the State of [Arkansas], and [her] contentions regarding the validity of the [Board's] order are not material to this Agency's resolution of whether [she] is entitled to maintain [her] DEA registration in" Arkansas. *Id.*

Because it is undisputed that Respondent's Arkansas Advanced Practice Nursing License remains suspended, I find that she no longer has authority under the laws of Arkansas, the State in which she is registered, to dispense controlled substances. See Ark. Code Ann. Section 17-87-310 (b)(1) ("An advanced practice registered nurse with a certificate of prescriptive authority may receive and prescribe drugs, medicines, or therapeutic devices appropriate to the advanced practice registered nurse's areas of practice in accordance with rules established by the Arkansas State Board of Nursing."). Therefore, she is not entitled to maintain her DEA registration. See 21 U.S.C. 802(21), 823(f), 824(a)(3). Accordingly, I will order that her registration be revoked and that any pending application to renew or modify her registration be denied.<sup>3</sup>

#### Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) and 824(a), as well as 28 CFR 0.100(b), I order that DEA Certificate of Registration MR1972632,

<sup>3</sup> While Respondent also asked that I stay the revocation of her registration pending the resolution of the criminal case and nursing board proceeding, I decline to do so. As the Agency has previously explained, "in circumstances similar to those raised by Respondent, DEA has repeatedly denied requests to stay the issuance of a final order of revocation, noting that [u]nder the Controlled Substances Act, a practitioner must be currently authorized to handle controlled substances in the jurisdiction in which [she] practices in order to maintain [her] DEA registration." *Gregory F. Saric*, 76 FR 16821, 16822 (2011) (internal quotations and citations omitted). Of further note, Respondent's advanced practice nursing license was suspended more than 8 months ago, and yet her license still remains suspended. And while Respondent asserts that the Nursing Board's suspension is the result of the wrongful indictment, she ignores that the Board's order also relied on her having "prescribed opioids from November 13, 2014 through January 7, 2015 without prescriptive authority." Nursing Board Order, at 2.

issued to Kristen Lee Raines, A.P.R.N., be, and it hereby is, revoked. I further order that any application of Kristen Lee Raines, A.P.R.N., to renew or modify this registration be, and it hereby is, denied. This Order is effective immediately.<sup>4</sup>

Dated: March 11, 2016.

**Chuck Rosenberg,**

*Acting Administrator.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. DEA-392]

#### Importer of Controlled Substances Application: Cambrex Charles City

**ACTION:** Notice of application.

**DATES:** Registered bulk manufacturers of the affected basic class, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration in accordance with 21 CFR 1301.34(a) on or before April 18, 2016. Such persons may also file a written request for a hearing on the application pursuant to 21 CFR 1301.43 on or before April 18, 2016.

**ADDRESSES:** Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/ODW, 8701 Morrisette Drive, Springfield, Virginia 22152. Request for hearings should be sent to: Drug Enforcement Administration, Attention: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152. Comments and request for hearings on application to import narcotic raw material are not appropriate. 72 FR 3417 (January 25, 2007).

**SUPPLEMENTARY INFORMATION:** The Attorney General has delegated her authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in

<sup>4</sup> For the same reasons which led the Nursing Board to conclude "that an emergency exists constituting a threat to the public health, safety and welfare" and to order the summary suspension of Respondent's licenses, I conclude that the public interest necessitates that this Order be effective immediately. 21 CFR 1316.67.

connection with suspension, denial, or revocation of registration) has been redelegated to the Deputy Assistant Administrator of the DEA Office of Diversion Control ("Deputy Assistant Administrator") pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.34(a), this is notice that on July 31, 2015, Cambrex Charles City, 1205 11th Street, Charles City, Iowa 50616-3466 applied to be registered as an importer of coca leaves (9040), a basic class of controlled substance.

The company plans to import the listed controlled substance for internal use, and to manufacture bulk intermediates for sale to its customers.

Dated: March 8, 2016.

**Louis J. Milione,**

*Deputy Assistant Administrator.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Agency Information Collection Activities; Comment Request for State Retention of Applications and Job Orders

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is soliciting comments concerning a proposed extension without changes of the data retention required by CFR 652.8(d)(5) of the Wagner-Peyser Act. This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.*

**DATES:** Consideration will be given to all written comments received by May 17, 2016.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting the U.S. Department of Labor, Employment and Training Administration, Attention: Adriana Kaplan, by telephone at (202) 693-3740 (this is not a toll free number), by email, at [kaplan.adriana@dol.gov](mailto:kaplan.adriana@dol.gov), TTY/TDD, 1-877-889-5627, (this is a toll-free number), by fax at (202) 693-3587, or by email at 200 Constitution Avenue NW., Room S-4209, Washington, DC 20210.