

## Changes Strengthen Monitoring Program

As reported earlier, the Oregon State Board of Nursing is making a number of process and procedure changes as part of a continuing improvement process begun in 2006. Most of the changes have occurred in the Compliance department and the Nurse Monitoring Program.

The Nurse Monitoring Program (NMP) began in 1991 to give nurses with substance abuse issues and physical or mental disabilities an opportunity to seek treatment and continue in their profession while protecting the public's health, safety and welfare. A report issued by the Governor's office in late 2007 raised concerns about how stringently participants were actually monitored.

In response, new OSBN Executive Director Holly Mercer, JD, RN, ordered in February 2008 a comprehensive review of all NMP participant files. After a thorough assessment of the files by new Compliance Manager Linda Fisher-Lewis revealed that approximately 70 percent were out-of-compliance to some degree, several new standards for the program were initiated. The changes included:

- More specific language was added to NMP participant and employer contracts.
- A list of 18-points of compliance was created and distributed, clearly citing expectations of the program and consequences for non-compliance for participants.
- New operational guidelines were implemented for NMP staff members.
- NMP coordinators are required now to bring all instances of participant non-compliance to the Compliance manager for direction.

- New management reports were developed for Board members to give them more information about NMP cases, clearly displaying the facts of each case and the proposed resolutions.
- New educational materials are being developed for employers on the parameters of the NMP and their responsibilities if they hire a NMP participant.
- A new guide also is being developed for participants in the program.

Some participant actions that are considered to be not in compliance with the NMP include missing a drug screen; having a corrupted, diluted or positive drug screen; diversion of drugs from the workplace; illegal possession of drugs; forging, tampering with or modifying prescriptions; arrests involving the use or possession of alcohol or drugs; and, failure to communicate with the NMP coordinators. Possible

consequences for non-compliance include expulsion from the program, removing the person from practice, increasing the number of required drug screens or contacts with NMP coordinators, and more.

"The '18-points' have definitely had an effect," says Fisher-Lewis. "We've had to remove some participants from the program for non-compliance, while others have actually thanked us for communicating so clearly. People in the monitoring program want to succeed, and communicating our expectations more openly helps ensure that. Compliance is vastly improved."

The new operational guidelines also ensure that any complaint received by the Board that involves drug diversion or use is investigated completely before possible

---

*"We've had to remove some participants... while others have actually thanked us..."*

*—Linda Fisher-Lewis  
OSBN Compliance Manager*

---

### In This Issue

- Nurse Monitoring Changes
- New Executive Director
- Professional Boundaries
- 2009 Legislative Session
- RN/LPN Scope-of-Practice Changes (NPA Division 45)
- Board Meeting Updates
- Disciplinary Actions

# Oregon Board of Nursing Appoints New Executive Director

Holly Mercer, JD, RN, was appointed Executive Director of the Oregon State Board of Nursing during a public Board meeting Dec. 19, 2007, and began her duties Jan. 2, 2008.

Mercer replaced interim director Suzanne Nelson, who had served since the agency's previous director, Joan Bouchard, RN, resigned Aug. 29, 2007.

Mercer came to the Board from the Medical Section of the Oregon Department of Consumer and Business Services' Workers' Compensation Division, where she served as Assistant Manager. Her experience includes public sector medical dispute resolution, public health program management and private sector safety and risk management. She has demonstrated leadership in collaborating with diverse stakeholders, and has the experience to lead the agency in continued change and improvement efforts.

"We are confident that Holly is the right person to lead



Holly Mercer, JD, RN

the Board of Nursing," says Board President James McDonald, RN, FNP. "Her leadership skills, previous regulatory experience and health care knowledge will serve the Board and its staff well as we move forward."

Mercer's selection followed a national search, with full participation by the Board and broad participation by agency staff and stakeholders.

She holds a Bachelor of Arts degree from the University of New Mexico, Albuquerque, N.M.; a Juris Doctor degree from Lewis and Clark Law School, Portland, Ore.; and, an Associate Degree in Nursing from Boise State University, Boise, Idaho. She is a member of the Oregon and Idaho State Bar Associations, and is a licensed RN in Oregon, Idaho and Washington.

"I'm excited to become part of the Board of Nursing," says Mercer. "The agency is working diligently to implement a number of changes to enhance its compliance and licensing departments, and I look forward to being part of that effort."

## Changes Strengthen Monitoring Program Continued from page 1

entrance into the NMP is considered or discussed with the licensee.

The Board's NMP subcommittee, comprised of Board members Beverly Shields, RN, Pat Markesino, RN and Amoy Williamson and Board staff, met from November 2007 through May 2008 to address the concerns with the monitoring program and developed the 18 points of non-compliance and the operational guidelines. A second Board subcommittee, the Discipline Advisory Committee, met from October 2007 through April 2008 to review cases for possible entry into or expulsion from the NMP and included Board members Jim McDonald, RN, FNP, Rebecca Uherbelau, and Claudia Coon, LPN and staff.

### *Law Enforcement Referrals When Appropriate*

Since November 2007, the Board has used criteria developed by the Department of Justice to guide referrals of discipline cases indicating possible criminal behavior to appropriate law enforcement.

"The Board has authority over a licensee's practice, but not to decide whether a certain behavior may have crimi-

nal implications," explains Mercer. "It's best to turn any questionable cases over to law enforcement authorities to pursue if they choose."

The Board will refer cases to law enforcement that involve evidence indicating: abuse or neglect; theft; inappropriate sexual touching, contact, abuse or other sexual activity; falsification of records; illicit drug use or possession; or any crimes outlined in Division 45 of the Nurse Practice Act.

To comply with state and federal confidentiality laws, the Board will initially refer only a brief description of the primary facts of the complaint, the date and location of the incident, and the licensee's name, date of birth, phone number and employer. If the law enforcement agency requests further information, the Board will supply witness statements and contact information, and the complainant statements.

For more information, contact Barbara Holtry, Communications and Policy Manager, at 971-673-0658.

# Board Prepares for 2009 Legislative Session

The Oregon State Board of Nursing (OSBN) submitted three concepts for the 2009 Legislative Session, regarding malpractice reporting, license cards and fingerprinting. The Board discussed and approved the following concepts during the February 14, 2008, Board Meeting:

1. *Request authority to impose civil penalties against entities for failure to report negligence claims concerning nurse practitioners.* The Board seeks civil penalty authority similar to that provided to the Oregon Medical Board.

In 2007, Senate Bill 337 mandated that healthcare entities and a variety of healthcare practitioners—including nurse practitioners—must report any malpractice claims filed against them to the appropriate regulatory Board. Each Board is required to post the report on its website if the claim resulted in a judicial finding, admission of liability or a money judgment. Further, each Board that receives such a report is required to notify health care facilities in the state that could employ or grant privileges to the practitioner in question.

The bill specified that the Oregon Medical Board could levy a fine of not more than \$10,000 to a health care facility for failure to report, as well as assess reasonable costs the Board incurs in enforcing the requirement. The Board of Nursing seeks similar authority.

2. *Remove the statutory requirement for a wallet-sized license as evidence of current licensure.* This change would compel employers to verify current license status using on-line or telephonic methods.

License cards are subject to fraud, loss, and theft. Additionally, there is an assumption that the card carrier's license status is current as it reads on the card. In fact, the information could be up to two years old. This puts the public at risk and puts employers at risk for civil penalties and other sanctions.

The OSBN provides electronic verification through its website in real-time. Verification also is available through the agency's automated telephone dial-up system and the National Council of State Boards of Nursing's licensing verification system, which are both updated daily. (In the future, the OSBN plans to pursue software that would allow the agency to send license data for entire employee lists to employers on-demand, or on a scheduled basis.)

3. *Request authority to conduct state LEDS and national fingerprint-based criminal background checks to determine eligibility for employment by the OSBN.* OSBN employees investigate licensees' backgrounds through state Law Enforcement Data System (LEDS) and fingerprint-based national criminal checks to approve licensure/certification; the agency should ensure the public that the employees conducting those checks are similarly screened.

This legislative change would give the OSBN the same authority as the Dept. of Business and Consumer Services. The authority to conduct LEDS checks for employment purposes was granted to several state agencies in 2007, but the OSBN was not included at that time. The OSBN did obtain an Executive Order in November 2007 granting that authority, but would like to establish it in statute, with the addition of national background checks.

The concepts are currently being drafted into bills by the state's Legislative Counsel staff. In December 2008, the Governor will consider draft bills submitted by all state agencies; if approved, the bills would be filed for the legislative session that begins January 12, 2009.

In addition to the three concepts, the Board also will be seeking six additional staff positions. "The agency has been understaffed for some time, especially compared with other regulatory boards," explains Executive Director Holly Mercer. "Our Licensing department staff is particularly stretched—almost to the breaking point. To provide the type and quality of services our licensees and the public expect, we need more people. To fund these vital positions, a license fee increase may be necessary."

The positions would include an investigator, a fiscal analyst, a computer systems analyst, a licensing support specialist, a probation compliance monitor, and a CNA program compliance monitor.

For more information on the upcoming legislative session or to comment on the Board's concepts, contact OSBN Communications and Policy Manager Barbara Holtry at 971-673-0658.

## Are You Due to Renew?

Have you checked your license expiration date lately? If you've moved in the last two years, and haven't updated your address with the Board of Nursing office, you may have missed your renewal notice. According to the Nurse Practice Act, it is **your responsibility** to keep your address up-to-date with the Board office.

# Your Board in Action

Highlights of Board Meetings Held from November 2007 Through June 2008

## Rules Adopted

### Formulary Abolished

During the Special Legislative Session held in February 2008, Senate Bill 1062 was passed abolishing the advanced practice formulary. The Board of Nursing adopted corresponding rule changes during its June 12, 2008, meeting that removed all references to the formulary from Division 56 of the Nurse Practice Act.

### RN and LPN Standards and Scopes-of-Practice

Following a two-year task force, the Board adopted extensive changes to Division 45 of the Nurse Practice Act (OAR 851-045). The changes are the first major revisions of the RN and LPN standards and scopes-of-practice in 10 years. The 30-member task force was comprised of OSBN Board members and staff, and stakeholders representing nursing employers, professional associations, educators, attorneys and other state agencies.

### Educational Program Standards

The Board adopted changes to Division 21 of the Nurse Practice Act (Standards for the Approval of RN and PN Educational Programs) during the June 12, 2008, meeting. The updated rules improve mobility for Oregon nursing graduates, define distance program standards, clarify nursing faculty roles and responsibilities, identify expected competencies of graduates, reduce the student-to-faculty ratio, and ensure sufficient instructor-supervised clinical practice with "real" patients.

## Nursing Education

### Extended Campus Sites Approved

On April 10, 2008, the Board approved requests by Oregon Health Sciences University (OHSU) and Southwestern Oregon Community College (SOCC) to add three extended campus sites. OHSU was granted approval for a site in Monmouth, and SOCC received approval for sites in Florence and Brookings.

### 2008 Nursing Program Approvals

During the February 14 meeting, the Board approved the Concordia University and the Rogue Community College nursing programs for up to eight years.

During the June 13 meeting, the Board approved the Apollo College practical nursing program and the Umpqua Community College RN program each for up to five years. The Board also approved Everest College's

application to develop an associate degree nursing program. Everest College is located in Portland, Ore.

## Licensing, Certification & Discipline

### Policy Revisions

Since November 2007, the Board has adopted, revised or reaffirmed four nursing practice policies or position statements, including:

- *The Relationship Between Data Collection by Unlicensed Assistive Personnel (UAP) and Nursing Assessment;*
- *Authority to Accept and Implement Orders for Client Care and Treatment;*
- *Licensed Nurse Supervision in Settings Other than Community-Based Care;* and,
- *Registered Nurse Delegation in Settings Other than Community-Based Care.*

All Board of Nursing policies, policy guidelines and position statements are available on the OSBN website [www.oregon.gov/OSBN](http://www.oregon.gov/OSBN) (click on "Board Policies").

## We Salute Our Staff

Two abstracts co-written by Advanced Practice Consultant Tracy Klein, RN, FNP, recently were accepted for presentation.

The first, entitled "*The Revision of Nurse Practitioner Specialty Courses in a Doctorate in Nursing Practice Program*," was presented with Marie Napolitano, RN, FNP, of the University of Portland, on April 12, at the National Organization of Nurse Practitioner Faculty conference in Louisville, Ky. The second, entitled "*Preparing Clinical Nurse Specialists for Prescriptive Authority*," is scheduled to be presented with Anne Rosenfeld, RN, CNS, from Oregon Health Science

University (OHSU), and Helen Turner, RN, CNS, on Oct. 4, 2008, at the Northwest Regional Clinical Nurse Specialist conference in Portland.

Two schools in Oregon offer a doctorate in nursing practice (DNP); OHSU began its program in Fall 2007, and the University of Portland will begin enrolling students in Fall 2008.

Nursing Assistant Program Consultant Debra Buck, RN, will receive the Oregon Health Care Association's (OHCA) Special Service Award on Sept. 9, 2008, for her role in making online nursing assistant training available in Oregon.

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

<u>Name</u>	<u>License #</u>	<u>Discipline</u>	<u>Violations</u>	<u>Effective Date</u>
Dawn A. Adams	097003227LPN	Reprimand	Theft conviction and failing to answer questions truthfully.	6-11-08
Georgia A. Adams	000031706RN	Suspension	Failing to cooperate with the Board during an investigation.	7-17-08
David M. Aerondon	000034482CNA	Reprimand	Client neglect.	2-13-08
Lorina L. Allison	000017471CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	1-10-08
Bambi L. Anderson	088000502RN	Reprimand	Failing to implement the plan of care.	2-13-08
Divinity Arciaga-Tanke	200630407LPN	Suspension/Probation	60-day suspension with conditions, followed by two-year probation. Client neglect and failing to conform to the essential standards of acceptable nursing practice.	3-13-08
Charlene J. Armstrong	200010511CNA	Voluntary Surrender	Leaving a nursing assistant assignment without notifying her supervisor, and failing to communicate client information to her supervisor or other appropriate personnel.	11-14-07
Manzar Baradar	000028758CNA 000028758CMA	Revocation	Inaccurate recordkeeping, altering a client record, failing to administer medications as ordered, and failing to competently perform nursing assistant duties.	4-9-08
Lauren C. Beaton	CNA Applicant	Application Denied	Using alcohol to the extent she is unable to perform CNA duties safely.	7-17-08
Heather A. Beyer	200810651CNA	Probation	Two-year probation. Using a controlled substance to the extent that she is unable to perform CNA duties safely.	4-9-08
Morgan A. Bogart	200712706CNA	Voluntary Surrender	Violating the terms of a Board Order.	7-17-08
Reola Box	000020875CNA	Suspension	Indefinite suspension. Violating the terms of a Board Order and failing to cooperate with the Board during an investigation.	11-14-07
Kelly Brady	089006523RN	Suspension	Failing to cooperate with the Board during an investigation.	7-17-08
Nancy P. Brooks	200141969RN	Revocation	Gross negligence and incompetence.	11-14-07
Sharel D. Brower	080012227RN	Voluntary Surrender	Using controlled substances to the extent that she is unable to practice nursing safely.	1-10-08
Julie C. Burns	087000050RN	Reprimand	Leaving her assignment without notifying appropriate personnel.	11-14-07
Kari M. Burns	200330426LPN	Suspension	60-day suspension, with conditions. Aiding an individual to circumvent the law, and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
Maryanna Burns	200011385CNA	Reprimand	Leaving an assignment without properly notifying a supervisor.	6-11-08
Marjorie A. Burnschmid	091000230RN	Voluntary Surrender	Failing to comply with the terms of the Nurse Monitoring Program.	7-17-08
Bradley K. Busey	200610174CNA	Voluntary Surrender	Assault conviction, fraud during the licensure process, and use of a controlled substance to the extent that he is unable to perform the duties of a nursing assistant safely.	1-10-08
Shelly S. Byrd	093006076RN	Voluntary Surrender	Unauthorized removal of narcotics from the workplace, failing to modify the plan of care based on nursing assessment and failing to conform to the essential standards of acceptable nursing practice.	2-13-08
Sherril L. Capelle	000025293CNA 200220060CMA	Voluntary Surrender	Theft conviction, and using controlled substances to the extent that she is unable to perform nursing assistant duties safely.	1-10-08
Barbara E. Carroll	200040110RN	Suspension	Use of a controlled substance to the extent she is unable to practice safely and for practicing while impaired.	4-9-08
Rachel M. Carter	200541849RN	Voluntary Surrender	Incomplete and inaccurate recordkeeping and failing to conform to the essential standards of acceptable nursing practice.	5-15-08
Nadeyda C. Caruso	000015375CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	3-13-08
Peggy S. Casebeer	078033394RN/ 200250147NP	Reprimand	Incomplete recordkeeping, and failing to conform to the essential standards of acceptable nursing practice.	6-11-08
Sheila A. Caso-Murray	NA Applicant	Application Denied	Failing to respect client dignity and rights, and failing to cooperate with the Board during the course of an investigation.	6-11-08
Laura E. Cassily	094000332RN	Emergency Suspension	DUII and Reckless Burning convictions, practicing nursing while impaired, failure to answer questions truthfully, and practicing when unable due to a psychological impairment.	3-13-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

Name	License #	Discipline	Violations	Effective Date
Regina G. Catlett	200510527CNA	Revocation	Using intoxicants to the extent she is unable to perform CNA duties safely and failing to cooperate with the Board during an investigation.	7-17-08
Timothy E. Charters	200630103LPN	Revocation	Client abuse, failure to respect the dignity of clients and failure to cooperate with the Board during an investigation.	1-10-08
Helen K. China	200140640RN	Suspension/Probation	30-day suspension, followed by minimum one-year probation. Modifying the standards of care that jeopardized patient safety.	11-14-07
Jana Clancy	000030341RN	Reprimand	Inaccurate and incomplete recordkeeping, and failing to conform to the essential standards of nursing practice.	4-9-08
Leslie D. Clark	092000314RN	Reprimand	Incomplete recordkeeping and leaving a nursing assignment without notifying the appropriate personnel.	2-13-08
Susan L. Clark	088006023RN	Voluntary Surrender	Failing to comply with the terms and conditions of the Nurse Monitoring Program, and failing to conform to the essential standards of acceptable nursing practice.	6-11-08
Theresa E. Clark	200341846RN	Voluntary Surrender	Using a controlled substance to the extent that she is unable to practice safely.	5-15-08
Tonya L. Claxton	000025254CNA	Reprimand	Leaving a nursing assistant assignment without properly notifying her supervisor.	2-13-08
Rodney Wells Cole	200410369CNA	Reprimand	Lying on his CNA renewal application.	11-14-07
Jose A. Cortez	200011691CNA	Reprimand	Falsifying his CNA renewal application.	2-13-08
David M. Coryell	098000656RN	Voluntary Surrender	Use of controlled substance to the extent he is unable to practice safely.	5-15-08
Susan D. Crull	099000565RN	Probation	Two-year probation. Failing to take action to preserve client safety and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
Carey W. Cullen	091006394RN	Suspension	60-day suspension. Conduct derogatory to the standards of nursing.	11-14-07
Antony M. Cusma	200512405CNA	Probation	Two-year probation. Using intoxicants to the extent that he is unable to perform CNA duties safely.	2-13-08
Richard E. Dant	200140246RN	Voluntary Surrender	Mental condition that prevents him from practicing safely.	5-15-08
William P. Daugherty	088003261RN	Reprimand	Incomplete recordkeeping, failing to communicate client information to the health care team, and for performing acts beyond his authorized scope-of-practice.	2-13-08
Cindy L. Davidson	200412205CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	3-13-08
Carrie L. Deatley	000020084CNA	Voluntary Surrender	Failing to meet the work hours requirement for certification.	3-13-08
Jocelyn R. Degroat	200041225RN	Suspension	Failing to cooperate with the Board during an investigation.	4-9-08
Deana DeLarosa	000044634CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	1-10-08
Tiffany A. Dixon	200730350LPN	Suspension	Failing to cooperate with the Board during an investigation.	6-11-08
Joseph Beau Donaldson	200512139CNA	Voluntary Surrender	Client abuse.	3-13-08
Riley K. Doughan	200510360CNA	Probation	Two-year probation. Using alcohol to the extent she is unable to perform CNA duties safely.	4-9-08
Bobbie Jo J. Duran	200410178CNA	Suspension	60-day suspension. Theft conviction.	11-14-07
Denise H. Duren	087006741RN/ 087006741N1	Reprimand	Failing to report actual or suspected incidents of client abuse through proper channels.	6-11-08
Anita L. Duvall	098003009RN	Reprimand	Failing to follow the plan of care.	4-9-08
Linda L. Egbert	00004995LPN	Voluntary Surrender	Violating the terms and conditions of a Board order.	3-13-08
Konni M. Ehrens	000007455LPN	Revocation	Practicing nursing when impaired.	7-17-08
Dianne L. Elton	090006851RN	Suspension/Probation	30-day suspension, followed by one-year probation. Abuse of a client and using profane language in the presence of a client.	11-14-07
Naomi M. Enesi	000017808CNA	Reprimand	Conviction, Tampering with Drug Records, and for altering a client record.	5-15-08
Angie T. Ezelle	092000432RN	Probation	Two-year probation. Using intoxicants to the extent that she is unable to practice nursing safely.	2-13-08
Gregory F. Fegel	084060031RN	Voluntary Surrender	Failing to conform to essential standards of acceptable nursing practice.	7-17-08
Debra J. Finnerty	200441886RN	Voluntary Surrender	Practicing nursing when unable due to a psychological impairment.	1-10-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

<u>Name</u>	<u>License #</u>	<u>Discipline</u>	<u>Violations</u>	<u>Effective Date</u>
Christian N. Florin	200411634CNA	Revocation	Client abuse.	7-17-08
Mary J. Fordyce	085085874RN	Revocation	Improperly delegating tasks of nursing care to unlicensed persons, failing to supervise persons to whom nursing tasks were assigned, inaccurate recordkeeping, and failing to conform to the essential standards of acceptable nursing practice.	7-17-08
Suzanne G. Franklin	200141129RN	Suspension	Minimum of 30-day suspension, followed by probation for two years. Using the client relationship for personal gain, falsifying a client record, and failing to answer questions truthfully.	6-11-08
Mary T. Freeman	200810652CNA	Probation	Two-year probation. Using a controlled substance to the extent that she is unable to perform CNA duties safely.	4-9-08
Bernita L. Fritz	000028865CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Tomas Ganzar	098000503RN	Voluntary Surrender	Failing to comply with the terms of the Nurse Monitoring Program.	7-17-08
Maria R. Garner	200310807CNA	Revocation	Theft conviction and failing to answer questions truthfully.	7-17-08
Libra R. Gauger	000025148CNA	Revocation	Theft conviction and for removing drugs from the workplace without authorization.	4-9-08
Barbara A. Gentner	096006895RN	Suspension	Failing to cooperate with the Board during an investigation.	6-11-08
Thomas W. Gipson	200612471CNA	Probation	Two-year probation. Chemical dependency.	7-17-08
Hannah K. Gjerde	200410348CNA	Voluntary Surrender	Removing money from the workplace without authorization.	7-17-08
Tanya Jo Gorbett	200112073CNA	Voluntary Surrender	Using a controlled substance to the extent she is unable to perform CNA duties safely.	11-14-07
Diana E. Grant	200311048CNA	Revocation	Criminal Mistreatment conviction, client abuse, removing drugs from the workplace without authorization, and using controlled substances to the extent that she is unable to perform CNA duties safely.	4-9-08
Mary T. Green	000007371LPN	Voluntary Surrender	Failing to implement the client's plan of care.	2-13-08
Benjamin R. Greene	000039770CNA 200320017CMA	Reprimand	Exploiting a client, and performing acts beyond his authorized duties.	7-17-08
Brandy J. Haga	200810191CNA	Probation	Two-year probation. Using controlled substances to the extent that she is unable to perform CNA duties safely.	1-10-08
Carol K. Hammond	000035466RN	Voluntary Surrender	Practicing nursing while impaired and possessing unauthorized prescription drugs.	7-17-08
Heidi S. Haney	094006774RN/ 200650015NP	Voluntary Surrender	Failing to comply with the terms of the Nurse Monitoring Program, incomplete recordkeeping and failing to properly document client assessment when prescribing.	6-11-08
Erin J. Harlacher	200530025LPN	Reprimand	Inaccurate and incomplete recordkeeping, assigning persons to perform functions beyond their scope, and failing to conform to the essential standards of acceptable nursing practice.	3-13-08
Rhonda J. Harvey	200611235CNA	Reprimand	Possessing controlled drugs without a prescription.	7-17-08
Amy Hasbrouck-Gaines	200530277LPN	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Jodyne M. Haugen	085080877RN	Voluntary Surrender	Convictions for sexual abuse, attempted unlawful sexual penetration and using a child in a display of sexually explicit conduct.	6-11-08
Laurencetta Hawkin	200230449LPN	Voluntary Surrender	Failing to take action to preserve patient safety, failing to communicate client status to the health care team and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
Denise A. Hawks	087003314LPN	Voluntary Surrender	Physical condition that prevents her from practicing nursing safely.	3-13-08
Summer A. Heebink	000034626CNA	Revocation	Assault conviction and using a controlled substance to the extent that she cannot perform CNA duties safely.	4-9-08
Cheryle L. Helton	200611043CNA	Reprimand	Failing to respect client rights and dignity.	4-9-08
Lisa Higgs	200213088CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Lori A. Hill	087003272LPN	Reprimand	Performing acts beyond her authorized scope and failing to conform to the essential standards of acceptable nursing practice.	5-15-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

<u>Name</u>	<u>License #</u>	<u>Discipline</u>	<u>Violations</u>	<u>Effective Date</u>
Richard C. Hill	000020470CNA	Voluntary Surrender	Mental condition that impedes his ability to perform CNA duties safely.	2-13-08
Terry M. Hjorten	090000675RN	Application Denied	Mental condition that prevents him from practicing safely.	6-11-08
Clifford J. Hollingsworth	200711099CNA	Suspension	Failing to cooperate with the Board during an investigation.	5-15-08
Kaie J. Holman	099000837RN	Application Denied	Failing to answer questions truthfully and practicing while impaired.	7-17-08
Janet M. Holt	090000192RN	Voluntary Surrender	Using a controlled substance to the extent that she is unable to practice safely.	4-9-08
Carol Y. Hoover	080005705LPN	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Dale B. Houle	200312770CNA	Reprimand	Failing to answer questions on a certification application truthfully.	6-11-08
Cathy M. Howard	081001331RN	Reprimand	Violating privacy rights and unauthorized removal of client records from the workplace.	6-11-08
Andrea K. Huggins	000007079CNA	Revocation	Using intoxicants to the extent she is unable to perform CNA duties safely.	7-17-08
Linda A. Hughes	092007357RN	Voluntary Surrender	Practicing nursing when unable due to a psychological impairment.	1-10-08
Sara R. Hunt	200311758CNA	Revocation	Abusing a client and removing drugs from the workplace without authorization.	11-14-07
Jeffery R. Inks	RN Applicant	Denied Application	Nursing license suspensions in Pennsylvania and South Carolina.	2-13-08
Vicki Lou Jack	200141938RN	Probation	Two-year probation. Inaccurate recordkeeping and failing to conform to the essential standards of acceptable nursing practice.	2-13-08
Lula I. Jackson	NA Applicant	Application Denied	Failing to answer questions truthfully.	7-17-08
Melisa A. J. Jaragosky	200511659CNA	Revocation	Conviction, Identity Theft.	3-13-08
Bret A. Jarvis	093006459RN	Voluntary Surrender	Failing to comply with the terms of the Nurse Monitoring Program.	7-17-08
Kimberly Joers	200641699RN	Probation	Two-year probation. Inaccurate and incomplete recordkeeping, and failing to conform to the essential standards of acceptable nursing practice.	2-13-08
Jolene M. Johnson	200610855CNA	Voluntary Surrender	Violating the terms and conditions of a Board Order.	7-17-08
Margaret M. Johnson	000038618CNA	Voluntary Surrender	Exploiting the client for personal gain and conduct unbecoming.	4-9-08
Patricia L. Johnson	098006055RN	Voluntary Surrender	Inaccurate recordkeeping, performing acts beyond her scope, and failing to conform to the essential standards of acceptable nursing practice.	7-17-08
Wayne H. Jones	200510788CNA	Probation	One-year probation. Leaving a nursing assistant assignment without notifying his supervisor, and having a mental condition that impedes his ability to perform CNA duties safely.	2-13-08
Susan I. Jorgensen	099000819RN	Reprimand	Failing to answer questions truthfully.	4-9-08
Brandy J. Juarez	000043006CNA	Suspension	Failing to cooperate with the Board during an investigation.	7-17-08
Jessica K. Judd	200312587CNA	Reprimand	Functioning as a medication aide without current certification.	4-9-08
Amy M. Kascak	200310934CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Theresa K. Kallio	200511792CNA	Revocation	Exploiting the client relationship for personal gain.	1-10-08
Rebecka J. Kaylor	200010962CNA	Revocation	Client abuse, threatening a coworker, and failing to respect client dignity and rights.	5-15-08
Mary P. Keene	200340783RN	Revocation	Inaccurate recordkeeping, unauthorized removal of narcotics from the workplace, and practicing nursing while impaired by using drugs.	4-9-08
Joshua R. Kell	000034642CNA	Probation	Two-year probation. Using intoxicants to the extent that he is unable to perform CNA duties safely.	11-14-07
Megan M. Kelly	200212916CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Marie A. Kilroy	200641024RN	Revocation	Failing to comply with the terms and conditions of the Nurse Monitoring Program and practicing nursing when impaired.	3-13-08
Angela Kim	095006503RN	Voluntary Surrender	Convictions, Manslaughter and Conspiracy to Commit Aggravated Murder.	3-13-08
Louis K. Kimes	200330331LPN	Voluntary Surrender	Violating the terms and conditions of a Board Order.	7-17-08
Ashlee R. Klaviter	200711659CNA	Suspension	Failing to cooperate with the Board during an investigation.	4-9-08
Susan F. Knight	200642534RN	Reprimand	Unauthorized removal of narcotics from the workplace, and practicing nursing while impaired by using drugs.	5-15-08
Bethany R. Lamarre	200341760RN	Voluntary Surrender	Conduct related to impaired function.	5-15-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

Name	License #	Discipline	Violations	Effective Date
Tawny M. Lane	200810365CNA	Probation	Two-year probation. Using intoxicants to the extent that she is unable to perform CNA duties safely.	2-13-08
William J. Lane	200530226LPN	Reprimand	Client neglect and incomplete recordkeeping.	11-14-07
Dawna M. Lauzon	200810367CNA	Probation	Two-year probation. Using intoxicants to the extent that she is unable to perform CNA duties safely.	2-13-08
April M. Lavigne	200542380RN	Revocation	Violating the terms and conditions of a Board Order.	5-15-08
Maximo F. Ledesma	200211335CNA	Voluntary Surrender	Fraud during the licensure process, client neglect and failing to answer questions truthfully.	7-17-08
Jaimy M. Lee	200210043CNA	Reprimand	Failing to answer questions truthfully.	7-17-08
Rhonda T. Lee	085075228RN	Reprimand	Violating patient privacy rights and confidentiality.	4-9-08
Sondera A. Leifermann	200212595CNA	Reprimand	Falsifying her CNA renewal application.	2-13-08
Mary R. LeLouis	086006857RN	Reprimand	Theft conviction and failing to answer questions truthfully.	4-9-08
Valerie A. Lemmon	082019580RN	Voluntary Surrender	Inaccurate and incomplete recordkeeping, falsifying records, and failing to conform to the essential standards of acceptable nursing practice.	2-13-08
Lana M. Leveque	096005185LPN	Reprimand	Practicing nursing when impaired.	3-13-08
Erna E. Lewis	000033031RN	Voluntary Surrender	Failing to modify the plan of care and failing to conform to the essential standards of acceptable nursing practice.	6-11-08
Cassandra L. Ligon	200312020CNA	Revocation	Convictions for Theft and Identity Theft, and for using a controlled substance to the extent that she is unable to perform the duties of a CNA safely.	4-9-08
Karey S. Lostaglia	200411081CNA/ 200520001CMA	Suspension	Failing to cooperate with the Board during an investigation.	7-17-08
David J. Lydford	077039607RN	Voluntary Surrender	Verbally abusing a client.	11-14-07
Debra Lynne	200642684RN	Reprimand	Incomplete recordkeeping and failing to conform to the essential standards of acceptable practice.	6-11-08
Deana M. Mabbitt	200710764CNA	Revocation	3 <sup>rd</sup> Degree Sodomy conviction.	5-15-08
Heather M. Maine	200711295CNA	Suspension	Failing to cooperate with the Board during an investigation.	6-11-08
Nancy Malarchick	096007650RN	Voluntary Surrender	Using a controlled substance to the extent that she is unable to practice nursing safely.	2-13-08
Laura M. Manion	200313248CNA	Voluntary Surrender	Falsifying her CNA renewal application, client neglect and failing to answer questions truthfully.	2-13-08
Maria J. Martinez	000045264CNA	Suspension	30-day suspension. Falsifying her CNA renewal application.	2-13-08
Kim I. Martino	000029171CNA	Voluntary Surrender	Removing drugs from the workplace without authorization.	7-17-08
Kirsten J. Massebeau	200440393RN	Voluntary Surrender	Using a controlled substance to the extent that she is unable to practice safely.	11-14-07
Audrey C. Mathis	200312769CNA	Voluntary Surrender	Failing to respect patient rights and dignity, client neglect and failing to competently perform CNA duties.	4-9-08
Michelle L. Matraw	081047039RN	Reprimand	Leaving a client care assignment without notifying a supervisor.	6-11-08
Teresa L. McCabe	000036501CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	11-14-07
Margaret McCall-Edvalson	200511281CNA	Probation	Two-year probation. Using intoxicants to the extent that she was unable to perform CNA duties safely.	6-11-08
Lorraine H. McLaughlin	086000509RN	Probation	Two-year probation. Chemical dependency.	4-9-08
Jane M. McKay	095006412RN	Suspension	Minimum 30-day suspension. Client neglect, inaccurate recordkeeping and failing to take action to promote client safety.	4-9-08
Debra K. McMinn	NA Applicant	Probation	Two-year probation. Using a controlled substance to the extent that she is unable to perform CNA duties safely.	4-9-08
Patti J. McMullen	000027141CNA	Revocation	Using alcohol to the extent that she is unable to perform CNA duties safely.	4-9-08
Shari L. Medart	200210052CNA	Reprimand	Performing acts beyond the authorized duties of a CNA.	4-9-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

Name	License #	Discipline	Violations	Effective Date
Karen L. Metz	093003166LPN	Suspension	Minimum 60-day suspension, with conditions. Falsifying a client record, failing to answer questions truthfully and failing to conform to the essential standards of acceptable nursing practice.	3-13-08
Kelsey R. Meyer	200313637CNA	Voluntary Surrender	Burglary conviction and for using intoxicants to the extent she is unable to conduct CNA duties safely.	4-9-08
Gayle M. Miller	093007089RN 093007089N1	Suspension/Probation	One-year suspension with conditions, to be followed by one-year of probation, for failing to take action to promote client safety and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
James E. Mills	099000574RN	Suspension	One-year suspension with conditions for incomplete recordkeeping, failing to implement the plan of care and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
Lora A. Monson	092000554RN	Voluntary Surrender	Unauthorized removal of narcotics from the workplace and destroying an agency record.	7-17-08
Jamie J. Moon	200310271CNA	Suspension	Failing to cooperate with the Board during an investigation.	4-9-08
Amanda L. Morris	200410036CNA	Reprimand	Performing acts beyond her authorized duties.	2-13-08
Gregory D. Morris	200610006CNA	Reprimand	Failing to answer questions truthfully.	7-17-08
Pam K. Moulton	000034274CNA	Probation	Two-year probation. Using intoxicants to the extent that she was unable to perform CNA duties safely.	6-11-08
Mary E. Murphy	087003246RN	Voluntary Surrender	Using intoxicants to the extent she's unable to practice nursing safely.	11-14-07
Susan J. Musser	098006187RN	Probation	Two-year probation for two years, effective following her successful completion of a re-entry program, because of chemical dependency issues.	11-14-07
Jamie Leigh Nagel	CNA Applicant	Denied Application	Falsifying her application and using controlled substances to the extent injurious to self or others.	2-13-08
Leanna Nolan	083043023LPN	Voluntary Surrender	Failing to comply with the terms and conditions of the Nurse Monitoring Program.	6-11-08
Shannon D. Nordholm	NA Application	Application Denied	Failing to answer questions truthfully and misrepresentation during the certification process.	4-9-08
Christopher H. Olson	000038358CNA	Reprimand	Performing acts beyond his authorized duties.	2-13-08
Lori Ann Paich	200712477CNA	Probation	Two-year probation. Using intoxicants to the extent that she is unable to perform CNA duties safely.	11-14-07
Paula Partchey-Vicars	096005092LPN	Revocation	Using controlled substances to the extent that she is unable to practice nursing safely.	2-13-08
Marlene K. Peters	FNP Applicant/ 200340746RN	Application Denied	Not meeting the clinical practicum requirement.	6-11-08
Joyce E. Pivetti	090006574RN	Voluntary Surrender	Conviction, Theft.	3-13-08
Kricket J. Porter	200810653CNA	Probation	Two-year probation. Using controlled substances to the extent that she is unable to perform CNA duties safely.	4-9-08
Erlinda E. Quintana	000016563CNA/ 000016563CMA	Suspension	60-day suspension. Falsifying a client or agency record, inaccurate recordkeeping and failing to document medications as administered.	6-11-08
Diane E. Raines	000031261CNA	Reprimand	Aiding an individual to violate the law.	2-13-08
Glenda D. Ramirez	200313287CNA	Revocation	Client abuse, neglect and violating the terms and conditions of a Board Order.	3-13-08
Kathleen W. Repp	090000365RN	Revocation	Violating the terms and conditions of a Board Order.	1-10-08
Gloria M. Reynolds	089003394RN	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	1-10-08
Sandy Richards	Nurse Imposter	Civil Penalty	\$2,500 civil penalty.	4-9-08
Betty J. Richmond	000007806RN	Probation	36 month-probation, following successful completion of re-entry program. Conduct related to impaired function.	6-11-08
Beth A. Roessel	086000045RN	Voluntary Surrender	Practicing nursing while impaired.	3-13-08
Brian J. Rogers	088003275RN	Reprimand	Performing acts beyond authorized scope, falsifying an agency record, and failing to conform to essential standards of acceptable nursing practice.	6-11-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

Name	License #	Discipline	Violations	Effective Date
Suzanne K. Ruddell's	200240120RN	Suspension/Probation	90-day suspension, followed by two-year probation. Failing to communicate information regarding a client's status to members of the health care team and failing to conform to the essential standards of nursing practice.	11-14-07
Andrea L. Russo	200530084LPN	Reprimand	Incomplete recordkeeping, failing to communicate patient status information to other health care team members, and failing to conform with the essential standards of acceptable nursing practice.	4-9-08
Julie Ann Ryan	200340978RN	Reprimand	Failing to conform to essential standards of acceptable nursing practice.	2-13-08
Gifford J. Rye	000011485CNA	Probation	Two-year probation. Harassment conviction and alcohol dependency.	4-9-08
Norman E. Ryerson	090006630RN	Probation	Two-year probation. Performing acts beyond his authorized scope, failing to modify the plan of care based on nursing assessment, and failing to conform to the essential standards of acceptable nursing practice.	7-17-08
Karen J. Sanderson	200110276CNA	Suspension	Failing to cooperate with the Board during an investigation.	5-15-08
Nicholas C. Schiavo	200740659RN	Voluntary Surrender	Using a controlled substance to the extent he is unable to practice nursing safely.	7-17-08
Kerry E. Self	092003135RN	Suspension	30-day suspension. Failing to take action to preserve client safety, client abuse and modifying standards of nursing practice which jeopardize patient safety.	6-11-08
Brandy R. Sewell	200612216CNA	Suspension	90-day suspension. Falsifying an agency record and failing to competently perform the duties of a nursing assistant.	4-9-08
Tamara S. Sharp	200341459RN	Suspension	Failing to cooperate with the Board during an investigation.	7-17-08
Kristi L. Sheller	200311133CNA	Probation	Two-year probation. Chemical dependence.	7-17-08
Eric T. Sheppard	200312126CNA	Probation	Two-year probation. Using intoxicants to the extent that he is unable to perform CNA duties safely.	11-14-07
Cynthia L. Shortle	200550171NP 200542631RN	Voluntary Surrender	Mental condition that prevents her from practicing safely.	11-14-07
Nicole D. Shutt	200110203CNA	Voluntary Surrender	Exploiting the client relationship for personal gain.	11-14-07
Sara E. Simpson	200512877CNA	Voluntary Surrender	Leaving a nursing assistant assignment without notifying her supervisor.	2-13-08
Susan R. Smith	200412338CNA	Revocation	Violating the terms and conditions of a Board Order and client abuse.	1-10-08
Deirdre Solyst-Matthies	200512625CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	1-10-08
Robert S. Spears	095006568RN	Revocation	Using alcohol to the extent that he was unable to practice nursing safely.	4-9-08
Hermelinda Sprague	200710468CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	11-14-07
Angelica M. Spurger	000020179CNA/ 000020179CMA	Probation	Two-year probation. Using intoxicants to the extent that she was unable to perform CNA duties safely.	6-11-08
Carmen St. Clare Ray	200310649CNA	Revocation	Removing drugs from the workplace without authorization and failing to cooperate with the Board during an investigation.	6-11-08
Shannon M. Stafford	200541257RN	Voluntary Surrender	Convictions: unlawfully obtaining public assistance, unlawful use of food stamps, and money laundering.	2-13-08
Judith D. Stensland	200242613RN/ 200250162NP	Reprimand	Failing to take action to promote client safety, failure to properly assess and document client assessments when prescribing drugs, and failing to conform to the essential standards of acceptable nursing practice.	6-11-08
Christina A. Stewart	200612150CNA	Suspension	Failing to cooperate with the Board during an investigation.	4-9-08
Mindy Lee Stewart	200241442RN	Reprimand	Incomplete recordkeeping and failing to conform to the essential standards of acceptable nursing practice.	2-13-08
Lorna M. Stolle	090003094RN	Voluntary Surrender	Obtaining prescription drugs without authorization.	7-17-08
Haskel Paul Stone, III	RN Applicant	Probation	Two-year probation. Conviction, Conspiracy to Commit Securities Fraud.	3-13-08
Denise M. Strusz-Rice	086007019RN	Reprimand	Incomplete and inaccurate recordkeeping.	11-14-07
Mariacecilia E. Susi	093003085RN	Reprimand	Falsifying a client record, incomplete recordkeeping, and failing to act to preserve client safety.	11-14-07
Angelique M. Svedine	200610692CNA	Revocation	Exploiting the client relationship for personal gain.	1-10-08

# Disciplinary Actions

Taken by the Board During Meetings Held in November 2007 Through July 2008

Name	License #	Discipline	Violations	Effective Date
Stephen E. Tait	088003165RN	Reprimand	Failing to report actual or suspected incidents of client abuse through the proper channels and failing to conform to essential standards of acceptable nursing practice.	6-11-08
Patricia A. Taylor	081029940RN	Probation	Two-year probation. Inaccurate and incomplete recordkeeping, and failing to conform to the essential standards of acceptable nursing practice.	4-9-08
Sherry D. Taylor	200211385CNA	Probation	Two-year probation. Failing to answer licensure questions truthfully and for using intoxicants to the extent that she is unable to perform CNA duties safely.	2-13-08
Trista M. Thill	200110990CNA	Revocation	Using the client relationship for personal gain.	5-15-08
Camille L.K. Thompson	200612019CNA	Probation	Two-year probation. Using intoxicants to the extent that she is unable to perform CNA duties safely.	2-13-08
Catherine Thomson-Smith	200511920CNA	Suspension	Indefinite suspension. Failure to cooperate with the Board during an investigation.	2-13-08
Santos Loza Torres	200610684CNA	Voluntary Surrender	Fraud in applying for certification.	4-9-08
Timothy A. Trautman	081001709RN 081001709N3	Voluntary Surrender	Inaccurate and incomplete recordkeeping, and for engaging in sexual contact with a client.	1-10-08
Lana R. Trawallay	200630384LPN	Revocation	Client abuse, failing to respect client dignity and failing to conform to the essential standards of acceptable nursing practice.	5-15-08
Julia L. Truelove	097006775RN	Reprimand	Performing acts beyond her authorized scope-of-practice.	2-13-08
Rachel C. Varnum	081046781RN 081046781N6	Voluntary Surrender	Abuse of prescriptive authority, failing to take action to preserve client safety, and using a controlled substance to the extent she is unable to practice nursing safely.	2-13-08
Sabrina L. Vertrees	200610821CNA/ 200820038CMA	Reprimand	Failing to competently perform CNA duties.	6-11-08
Gayla F. Vick	075008220LPN	Suspension/Probation	Minimum of 30-day suspension, to be followed by two-year probation. Failure to implement the plan of care and failure to conform to the essential standards of acceptable nursing practice.	7-17-08
Shawn M. Wager	RN Application	Probation	Two-year probation. Condition that prevents licensee unable to practice nursing safely.	4-9-08
Olivia M. Wahl	200540612RN	Reprimand	Failing to comply with the terms and conditions of the Nurse Monitoring Program and failing to conform to the essential standards of acceptable nursing practice.	6-11-08
Lauri K. Wallace	092005260LPN	Suspension	Failing to cooperate with the Board during an investigation.	6-11-08
Daphne L. Watson	088003252RN	Reprimand	Failing to take action to promote client safety and failing to follow through with the plan of care.	6-11-08
Lorraine M. Wheeler	091003380RN	Revocation	Client neglect, incomplete recordkeeping and use of a controlled substance to the extent that she is unable to practice nursing safely.	1-10-08
April L. Whitney	200710196CNA	Suspension	Failing to cooperate with the Board during an investigation.	4-9-08
Sharon L. Wilson	089003300LPN	Voluntary Surrender	Failure to act to preserve client safety and failing to communicate client status to members of the health care team.	11-14-07
Troy L. Winger	200710068CNA	Suspension	Failing to cooperate with the Board during an investigation.	6-11-08
Leah M. Woerner	000008753CNA	Voluntary Surrender	Failure to meet certification requirements.	5-15-08
Christina M. Wright	200530260LPN	Voluntary Surrender	Failing to conform to essential standards of acceptable nursing practice.	2-13-08
Samuel W. Wyant	200111251CNA	Probation	Two-year probation. Conduct unbecoming a nursing assistant.	5-15-08
Angela E. Yow	200542074RN	Reprimand	Failing to answer questions truthfully and engaging in unacceptable behavior towards a client.	5-15-08
Marie A. Zeller	000031522RN	Civil Penalty	\$3,900 civil penalty. Fraud and practicing without a current nursing license.	11-14-07
Isis S. Zeron	CNA Applicant	Application Denied	Convictions, Identity Theft and Forgery, and lying on her application.	11-14-07

# Board Revises RN & LPN Scopes of Practice

First Major Changes to RN and LPN Scopes and Standards of Practice in 10 Years

By Marilyn Hudson, RN, MSN, CNS, Nursing Practice Consultant

Did you know that the scope and standards of practice for the RN and LPN, found in Division 45 of the Nurse Practice Act, have changed? The Board adopted the new administrative rules (OAR 851-045-0030 to 851-045-0100) June 24, 2008. As nurses in Oregon, we are all responsible for knowing these rules and making needed adjustments in our practice.

The Board broadened the rules to be more inclusive of the wide variety of settings where nurses practice. Many changes have improved the flow, readability and clarity of the rules, particularly regarding differences between RN and LPN practice.

The new rules are structured somewhat differently; there now are sections for 1) all licensed nurses, 2) the LPN, and 3) the RN. Elements of nursing practice were grouped into “domains,” with accompanying standards. Where all standards in the domain were the same, that domain was placed under the section for all licensed nurses. But, if any language differed, the domain was placed under both the LPN section as well as the RN section; small differences in language were intentional to convey some of the nuanced differences in scopes of practice. The domains of practice are listed below.

- Nursing Practice Implementation.
- Collaboration with an Interdisciplinary Team.
- Assigning/Supervising Care.
- Leadership.
- Quality of Care.
- Health Promotion.
- Cultural Sensitivity.
- Patient Advocacy.
- Environment of Care.
- Ethics, Competence & Professional Accountability.
- Nursing Technology.
- Delegating/Supervising.
- Accepting, Implementing Orders for Client Care/Treatment.

Classes on the updated RN/LPN Scope-of-Practice and Standards are scheduled:

Portland State Office Building,  
800 NE Oregon St., Room 1-B

• Sept. 19, 2–3:30 p.m.

• Sept. 29, 10–11:30 a.m.

OSBN Office, 17938 SW Upper  
Boones Ferry Rd., Portland

• Oct. 15, 6–7:30 p.m.

• Oct. 28, 6–7:30 p.m.

The Board also made many significant changes to the Definitions section of Division 45. It is very important for all nurses to read this section carefully, to ensure they understand the all the rule changes in context with the new definitions.

## Standards for All Licensed Nurses

Here are some other highlights to be aware of:

**Patient Advocacy:** Nurses advocate for the client’s right to person-centered care and end-of-life care.

**Ethics, including Professional Accountability and Competence:** Language regarding honesty and integrity, and professional boundaries was added.

**Nursing Technology:** New concepts were added about acquiring and maintaining knowledge, skills and abilities for informatics and technologies used in practice settings.

### Assign & Supervise Care

- Nurses assign tasks of nursing that fall within his/her scope of practice or authorized duties.
- Supervise by monitoring performance, progress and outcomes.
- Match client needs with available, qualified personnel, resources, and supervision needed.
- More detail can be found in the Board’s new policy entitled, “*Licensed Nurse Supervision in Settings other than Community-based Care.*”

**Accepting, Implementing Orders for Client Care/Treatment:** Clarifying language regarding Certified Registered Nurse Anesthetists (CRNAs) and Physician Assistants (PAs) was added. Lists of providers from whom nurses may take orders can now be found in the Board’s new policy entitled, “*Authority to Accept and Implement Orders for Client Care and Treatment.*”

## Differences in RN & LPN Standards

### Nursing Practice Implementation

- LPNs’ practice remains under the clinical direction of the RN or other licensed provider who has authority to make changes in plan of care, but language linking the level of LPN supervision to client acuity was removed.
- RNs establish nursing diagnostic statements; LPNs select them from available resources.
- The RN develops plan of care; the LPN contributes to the development.

### Leadership (includes Policy)

Both the RN and LPN have leadership responsibilities, but RNs have a higher degree and wider range of responsibility, while LPNs’ responsibility is contributory.

Continued on back page

# Professional Boundaries

*A guide to the importance of appropriate professional boundaries, courtesy of the National Council of State Boards of Nursing*

As a health care professional, a nurse strives to inspire the confidence of clients, treat all clients and other health care providers professionally, and promote the clients' independence. Clients can expect a nurse to act in their best interests and to respect their dignity. This means that a nurse abstains from obtaining personal gain at the client's expense and refrains from inappropriate involvement in the client's personal relationships.

*Professional boundaries are the spaces between the nurse's power and the client's vulnerability.*

The power of the nurse comes from the professional position and the access to private knowledge about the client. Establishing boundaries allows the nurse to control this power differential and allows a safe connection to meet the client's needs.

*Boundary violations can result when there is confusion between the needs of the nurse and those of the client.*

Such violations are characterized by excessive personal disclosure by the nurse, secrecy or even a reversal of roles. Boundary violations can cause distress for the client, which may not be recognized or felt by the client until harmful consequences occur.

*Boundary crossings are brief excursions across boundaries that may be inadvertent, thoughtless or even purposeful if done to meet a special therapeutic need.*

The nurse can return to established boundaries after a boundary crossing, but he or she should evaluate the crossing for potential client consequences and implications. Repeated boundary crossings should be avoided.

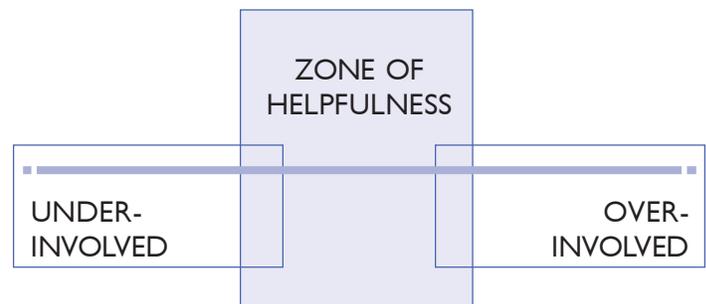
*Professional sexual misconduct is an extreme form of boundary violation and includes any behavior that is seductive, sexually demeaning, harassing or reasonably interpreted as sexual by the client.*

Professional sexual misconduct is an extremely serious violation of the nurse's professional responsibility to the client. It is a breach of trust.

## *A Continuum of Professional Behavior*

A zone of helpfulness is in the center of the professional behavior continuum. This zone is where the majority of client interactions should occur for effectiveness and client safety. Over-involvement with a client is on the right side of the continuum; this includes boundary crossings, boundary violations and professional sexual misconduct.

Under-involvement lies on the left side; this includes distancing, disinterest and neglect, and it can be detrimental to the client and the nurse. There are no definite lines separating the zone of helpfulness from the ends of the continuum; instead, it is a gradual transition.



This continuum provides a frame of reference to assist nurses in evaluating professional-client interactions. For each situation, the facts should be reviewed to determine whether the nurse was aware that a boundary crossing occurred and why. The nurse should be asked: What was the intent of the boundary crossing? Was it for a therapeutic purpose? Was it in the client's best interest? Did it optimize or detract from the nursing care? Did the nurse consult with a supervisor or colleague? Was the incident appropriately documented?

## *Some Guiding Principles for Determining Professional Boundaries and the Continuum of Professional Behavior*

- The nurse's responsibility is to delineate and maintain boundaries.
- The nurse should work within the zone of helpfulness.
- The nurse should examine any boundary crossing, be aware of potential implications and avoid repeated crossings.
- Variables such as the care setting, community influences, client needs and the nature of therapy affect the delineation of boundaries.
- Actions that overstep established boundaries to meet the needs of the nurse are boundary violations.
- The nurse should avoid situations where the nurse has a personal or business relationship, as well as a professional one.
- Post-termination relationships are complex because the client may need additional services and it may be difficult to determine when the nurse-client relationship is truly terminated.

Continued on next page

# Professional Boundaries

Continued from previous page

## Questions & Answers

*What if a nurse wants to date or even marry a former patient? Is that considered sexual misconduct?*

The key word here is former, and the important factors to consider when making this determination are:

- What is the length of time between the nurse-client relationship and the dating?
- What kind of therapy did the client receive? Assisting a client with a short-term problem, such as a broken limb, is different than providing long-term care for a chronic condition.
- What is the nature of the knowledge the nurse has had access to, and how will that affect the future relationship?
- Will the client need therapy in the future?
- Is there risk to the client?

*Do boundary violations always precede sexual misconduct?*

Boundary violations are extremely complex. Most are ambiguous and difficult to evaluate. Boundary violations may lead to sexual misconduct, or they may not. Extreme sexual misconduct, such as assault or rape, is not only a boundary violation, is it criminal behavior.

*Does client consent make a sexual relationship acceptable?*

Regardless of whether the client consents or initiates the sexual conduct, a sexual relationship is still considered sexual misconduct for the health care professional. It is an abuse of the nurse-client relationship that puts the nurse's needs first. It is always the responsibility of the health care professional to establish appropriate boundaries with present and former clients.

*How can I identify a potential boundary violation?*

Some behavioral indicators can alert nurses to potential boundary issues, for which there may be reasonable explanations. However, nurses who display one or more of the following behaviors should examine their client relationships for possible boundary crossings or violations:

- *Excessive self-disclosure*—The nurse discusses personal problems, feelings of sexual attraction or aspects of his or her intimate life with the client.
- *Secretive behavior*—The nurse keeps secrets with the client and/or becomes guarded or defensive when someone questions their interaction.
- *“Super nurse” behavior*—The nurse believes that he or she is immune from fostering a nontherapeutic relationship and that only he or she understands and can meet the client's needs.

- *Singled-out client treatment or attention to the nurse*—The nurse spends inappropriate amounts of time with a particular client, visits the client when off-duty or trades assignments to be with the client. This form of treatment may also be reversed, with the client paying special attention to the nurse, e.g. giving gifts to the nurse.
- *Selective communication*—The nurse fails to explain actions and aspects of care, reports only some aspects of the client's behavior or gives “double messages.” In the reverse, the client returns repeatedly to the nurse because other staff members are “too busy.”
- *Flirtations*—The nurse communicates in a flirtatious manner, perhaps employing sexual innuendo, off-color jokes or offensive language.
- *“You and me against the world” behavior*—The nurse views the client in a protective manner, tends not to accept the client as merely a client, or sides with the client's position regardless of the situation.
- *Failure to protect the client*—The nurse fails to recognize feelings of sexual attraction to the client, consult with a supervisor or colleague, or transfer care of the client when needed to support boundaries.

*What should a nurse do if confronted with possible boundary violations or sexual misconduct?*

The nurse needs to be prepared to deal with violations by any member of the health care team. Client safety must be the first priority. If a health care provider's behavior is ambiguous, or if the nurse is unsure of how to interpret a situation, the nurse should consult with a trusted supervisor or colleague. Incidents should be thoroughly documented in a timely manner. Nurses should be familiar with reporting requirements, as well as the grounds for discipline, and they are expected to comply with these legal and ethical mandates for reporting.

*What are some of the nursing practice implications of professional boundaries?*

Nurses need to practice in a manner consistent with professional standards. Nurses should be knowledgeable regarding professional boundaries, and establish and maintain those boundaries. Nurses should examine any boundary-crossing behavior and seek assistance and counsel from their colleagues and supervisors when crossings occur.

For more information, contact OSBN Lead Investigator Lynda Tucker at 971-673-0646, or the National Council of State Boards of Nursing at 312-525-3600.



# Scopes-of-Practice Changes

Continued from page 13

**Quality of Care:** The standards are largely the same, but the RN measures outcomes of nursing care and the LPN participates in this process.

**Health Promotion:** The RN develops and implements evidence-based health education plans; the LPN selects or implements them. Both the RN and LPN are responsible for evaluation of outcomes.

**Mandatory Reporting**

Language was added to require nurses to report knowledge of a nurse being arrested for a crime which relates adversely to the practice of nursing or the ability to safely practice nursing.

The entire Nurse Practice Act is available on the OSBN website: [www.oregon.gov/OSBN/adminrules.shtml](http://www.oregon.gov/OSBN/adminrules.shtml).

**Conduct Derogatory to the Standards of Nursing**

Actions that were added to the derogatory conduct section included: failing to complete a nursing assignment; attempting to engage in sexual contact with a client; and failing to maintain professional boundaries. Also, a new section regarding advanced practice nursing was added.

**Delegation and Supervision (RN only)**

- Delegates to other licensed nurses and CNAs/CMAs

tasks of nursing that may not be within the person’s normal duties, but are always within the person’s scope or authorized duties.

- May delegate to Unlicensed Assistive Personnel.
- May delegate tasks of nursing, but not the nursing process.
- Delegates only within the RN scope-of-practice.
- Maintains responsibility for delegation based on professional judgement.
- Considers competence, training, experience and facility policies when delegating.
- Matches client needs with qualified personnel, resources and supervision.
- May not delegate IV insertion, removal or IV medications.
- Delegation in community-based care settings remains the same and those rules must be followed (Division 47 of the Nurse Practice Act) in those settings.
- More detail can be found in the Board’s new policy entitled, “Registered Nurse (RN) Delegation in Settings Other than Community-Based Care.”

Board policies and the Nurse Practice Act are available on the Board’s website: [www.oregon.gov/OSBN](http://www.oregon.gov/OSBN).

**OSBN Board Members**

President James McDonald, RN, FNP, Portland; Secretary Beverly Shields, RN, Medford; Claudia Coon, LPN, Portland; Marguerite Gutierrez, RN, Pendleton; Patricia Markesino, RN, Portland; Sandra Theis, RN, PhD, Ashland; Rebecca Uherbelau, Public Member, Portland; Amy Williamson, Public Member, Portland; Julia Willis, LPN, Corvallis. Executive Director: Holly Mercer, JD, RN.

**OSBN Mission:** The Oregon State Board of Nursing strives to safeguard the public’s health and wellbeing by providing guidance for, and regulation of, entry into the profession, nursing education and continuing safe practice.