

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
James Ball, RN**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)
)

License No. 200842682RN

) **Reference No. 16-00075**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. James Ball (Licensee) was issued a Registered Nurse License by the Board on September 8, 2008.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 20, 2016, a Notice stating that the Board intended to revoke the Registered Nurse License of James Ball was sent to him via certified and first-class mail to his address of record. The Notice alleged that Licensee was impaired at work and refused a for-cause urine drug screen.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse License in the state of Oregon on September 8, 2008.
2. On or about June 24, 2015, Licensee exhibited signs and symptoms of impairment while working as a nurse on the Salem Hospital Cardiovascular Care Unit.
3. On or about October 18, 2015, Licensee was arrested following an incident in Marion

County. Licensee was charged with Kidnapping in the Second Degree (Felony Class B), Coercion (Felony Class C), Recklessly Endangering Another Person (Misdemeanor Class A), Menacing (Misdemeanor Class A) and Harassment (Misdemeanor Class B). On or about March 24, 2016, Licensee pled guilty to Coercion and Recklessly Endangering Another Person and the remaining charges were dismissed.

4. On or about November 12, 2015, Licensee was charged with Driving Under the Influence of Intoxicants and Reckless Driving in the Municipal Court for the City of Salem after Licensee was involved in a single vehicle automobile accident and his BAC exceeded the legal limit of .08.
5. On or about December 10, 2015, Licensee was arrested for Driving Under the Influence of Intoxicants in Lincoln County after he used drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to Licensee and his BAC exceeded the legal limit of .08.
6. Licensee failed to cooperate with the Board during the course of this investigation including, but not limited to, failing to provide requested documents.
7. On June 20, 2016, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, James Ball, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(a)(e)(f) and OAR 851-045-0070(5)(b)(c)(d) and (7)(c).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse License of James Ball is REVOKED.

DATED this _____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: JAMES BALL:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Registered Nurse License, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Diane Beck, RN) **VOLUNTARY SURRENDER**
)
License No. 200340799RN) **Reference No. 16-02048**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Diane Beck (Licensee) was issued a Registered Nurse License/Certificate by the Board on June 12, 2003.

In September 2011, Licensee surrendered her Registered Nurse license following a Board investigation into concerns regarding diversion of narcotics and failure to comply with the terms and conditions of the Nurse Monitoring Program.

In June 2015, Licensee applied for reinstatement and was granted her Registered Nurse license on January 28, 2016,

On or about June 8, 2016, the Board received a call and e-mail that Licensee wished to voluntarily surrender her Registered Nurse license as she has failed to find employment in a timely enough fashion to acquire the hours needed to renew her license. The alternative to not having the required renewal hours would be to enter into a Board approved reentry program, which she does not wish to do at this time.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 – Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the Board may impose or may be issued a limited license or may be reprimanded or censured by the Board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to the following:

(7) Conduct related to the licensee's relationship with the Board.

(d) Violating the terms and conditions of a Board order.

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender her Registered Nurse license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Registered Nurse license of Diane Beck be accepted. If, after a minimum of three years, Ms. Beck wishes to reinstate her Registered Nurse license, she may submit an application to the Board to request reinstatement.

Licensee agrees that she will not practice as a Registered Nurse from the date she signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Diane Beck, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Linda Billings, RN**

)
) **FINAL ORDER OF REVOCATION OF**
) **REGISTERED NURSE LICENSE BY**
) **DEFAULT**
)
) **Reference No. 16-00830**

License No. 200643048RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Linda Billings (Licensee) was issued a Registered Nurse license by the Board on November 13, 2006.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 22, 2016, a Notice stating that the Board intended to revoke the Registered Nurse license of Linda Billings was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee reported to work while intoxicated and failed to cooperate with the Board during the course of this investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse license in the state of Oregon on November 13, 2006.
2. On or about November 13, 2015, Licensee was reported to the Board for allegedly coming "to work exhibiting signs of intoxication and smelling of alcohol." The Board opened an investigation into the matter.

3. On or about October 24, 2015, Licensee reported to work at New Mexico Veterans Affairs Medical Center while intoxicated.
4. From November 13, 2015 through December 8, 2015, Board staff sent Licensee multiple requests that she contact them, schedule an interview, and provide a written statement describing details of the alleged incident along with a copy of her work history. No response was forthcoming. On December 17, 2015, a Notice stating that the Board intended to suspend the Registered Nurse license of Licensee was sent to her via certified and first-class mail to her address of record. That Notice alleged that Licensee had failed to cooperate with the Board during the course of this investigation. On January 13, 2016, the Board voted to issue Licensee a Final Order suspending her Registered Nurse license for failing to cooperate during the course of this investigation. Two days later, Board staff mailed a Final Order to Licensee at her address of record that suspended her Registered Nurse license for a minimum of two weeks, commencing five business days from January 13, 2016, and continuing until she has fully cooperated with the Board's investigation. No response was forthcoming.
5. On June 22, 2016, Board staff mailed a Notice of Proposed Revocation of Registered Nurse License to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Linda Billings, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(f) and (g) and OAR 851-045-0070(5)(c) and (7)(a) and (c).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse license of Linda Billings is revoked.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: LINDA BILLINGS:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Registered Nurse license, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Adam Birdsell, RN) **REPRIMAND OF LICENSE**
)
License No. 201142516RN) **Reference No. 16-01326**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Adam Birdsell (Licensee) was issued a Registered Nurse License by the Board on August 23, 2011.

On or about February 24, 2016, the Board received information that Licensee failed to report actual and/or suspected incidents of sexual abuse to the appropriate state agencies and failed to fulfill his duties as a mandatory reporter.

During the Board's investigation information was received that substantiated Licensee failed to fulfill his duties as a mandatory reporter when he did not report the alleged sexual abuse of a resident to the appropriate state agency.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f) and OAR 851-045-0070(2)(d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(d) Failing to report actual or suspected incidents of client abuse through the proper channels in the work place and to the appropriate state agencies.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Registered Nurse license of Adam Birdsell be reprimanded.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his license, up to and including revocation of his license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Adam Birdsell, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Candie Brittsan, CMA) **VOLUNTARY SURRENDER**
)
Certificate No. 201320017CMA,) **Reference No. 16-01429**
201111684CNA

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants and Certified Medication Aides. Candie Brittsan (CMA) was issued a Nursing Assistant certificate on July 8, 2011 and a Medication Aide certificate on January 29, 2013.

On or about February 5, 2016, CMA submitted an application to the Board to renew her Medication Aide certificate. On that application, CMA verified she had “at least 400 paid hours as a CMA in the last two years with a nurse who supervises or monitors my performance” and that she “completed 8 contact hours of continuing education since my last renewal.” CMA has not worked as a CNA or CMA since 2013 and did not complete the continuing education as reported in her renewal. The Board opened an investigation.

During a June 15, 2016 telephone conversation with CMA, she acknowledged she was not eligible for renewal on February 5, 2016 because she did not meet the qualifications for renewal.

By the above actions, CMA is subject to discipline pursuant to ORS 678.442(2)(b)(d)(f), OAR 851-062-0070 (3)(c)(A), OAR 851-062-0110(1)(a)(b)(c), (2), (3) and OAR 851-063-0090(9)(a), which read as follows:

ORS 678.442 Certification of nursing assistants; rules. (1) The Oregon State Board of Nursing shall establish standards for certifying and shall certify as a nursing assistant any person who:

(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:

- (b) Any willful fraud or misrepresentation in applying for or procuring a certificate or renewal thereof.
- (d) Violation of any provisions of ORS 678.010 to 678.448 or rules adopted thereunder.
- (f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-062-0070 Renewal or Reactivation of Certification.

(3) To renew certification a CNA must, prior to the certificate expiration date:

(c) Document paid employment:

(A) Document at least 400 hours of paid employment as a CNA within the CNA or CMA authorized duties, under supervision or monitoring by a nurse, in the two years

immediately preceding the certificate expiration date.

OAR 851-062-0110 CMA Renewal and Continuing Education. Renewal of the CMA certificate is concurrent with the renewal of CNA 1 as described in these rules.

(1) CMA is required to:

(a) Participate in at least eight hours of medication related continuing education in the 24 months immediately prior to expiration of certificate and to submit documentation of attendance with the application for Renewal of CMA Certification.

(b) Perform at least 400 hours of authorized medication aide duties under supervision or monitoring by a nurse in the 24 months immediately prior to expiration of certification.

(c) Affirm and document paid employment as a CMA under supervision or monitoring by a nurse and completion of continuing education.

(2) A CMA who has not performed at least 400 hours of authorized medication aide duties under the supervision or monitoring by a nurse or has not completed the eight hours of medication-related continuing education in the 24 months immediately prior to expiration of certification must successfully complete the medication aide examination as a condition of renewing CMA certification. A CMA is eligible to renew by examination only if the individual has completed a medication aide training program that meets the Board's approved curriculum.

(3) Employment and continuing education are subject to audit by the Board. Falsification of employment or continuing education is grounds for disciplinary action.

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant. A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

(9) Conduct related to certification violations:

(a) Resorting to fraud, misrepresentation, or deceit during the application process for licensure or certification, while taking the examination for licensure or certification, while obtaining initial licensure or certification or renewal of licensure or certification.

CMA wishes to cooperate with the Board in this matter and voluntarily surrender her Nursing Assistant and Medication Aide certificates.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CMA:

That the voluntary surrender of the Nursing Assistant and Medication Aide certificates of Candie Brittsan be accepted. If, after a minimum of three years, Ms. Brittsan wishes to reinstate certification, she may submit an application to the Board to request reinstatement.

CMA agrees that she will not practice as a Nursing Assistant or Medication Aide from the date she signs this Order.

CMA understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

CMA understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. CMA acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

CMA understands that this Order is a document of public record.

CMA has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Candie Brittsan, CMA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Rachel Carlton, NP) **VOLUNTARY SURRENDER**
)
License No. 201408267NP-PP,) **Reference No. 16-01003**
201408266RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners. Rachel Carlton (Licensee) was issued a Nurse Practitioner certificate and Registered Nurse license by the Board on November 29, 2014.

On or about December 17, 2015, the Board received information that Licensee's APRN certificate and Registered Nurse license had been placed on Emergency Suspension in West Virginia for improperly prescribing medication and diabetic supplies, utilizing telemedicine, while working for Bronson Medical Corporation.

Licensee Voluntarily Surrendered her licenses in West Virginia on April 8, 2016, based on the fact that Ms. Carlton provided prescription medication to West Virginia residents by phone without an established patient-provider relationship, nor a face-to-face evaluation while working at Bronson Medical Corporation.

Licensee also Voluntarily Surrendered her North Dakota licenses on May 19, 2016, based on the facts of the case in West Virginia.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(4)(a)(b) and OAR 851-056-0016(2)(c)(i) which read as follows:

678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined. Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted

standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(4) Conduct related to achieving and maintaining clinical competency:

(b) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established.

OAR 851-056-0016 Conduct Derogatory to the Standards for Prescriptive or Dispensing Authority

(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:

(c) Prescribing, dispensing, or distributing drugs to an individual who is not the APRN's client unless written under Expedited Partner Therapy guidelines from the Department of Human Services; or under the Oregon Health Authority Programs to Treat Allergic Response OR Hypoglycemia and Opiate Overdose in ORS 433.800–433.830.

(i) Failure to properly assess and document client assessment when prescribing, dispensing, administering, or distributing drugs;

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender her Nurse Practitioner license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Nurse Practitioner license of Rachel Carlton be accepted. If, after a minimum of three years, Ms. Carlton wishes to reinstate her Nurse Practitioner certificate and /or Registered Nurse license, she may submit an application to the Board to request reinstatement.

Licensee agrees that she will not practice as a Nurse Practitioner and/or registered Nurse from the date she signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Rachel Carlton, NP

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Andrew Elkins, Applicant**

**) STIPULATED ORDER FOR
) WITHDRAWAL OF REGISTERED
) NURSE LICENSE APPLICATION
) Reference No. 16-01787**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Andrew Elkins (Applicant) applied for licensure as a Registered Nurse on or about April 10, 2016.

On that application, Applicant disclosed his history and current probation with the Nevada Board of Nursing. The Board opened an investigation into the matter.

Applicant fully cooperated with the Board's investigation and provided numerous documents to substantiate his sobriety.

During the Board's investigation Applicant decided to withdraw his Oregon application and remain in Nevada.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f) which reads as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

Applicant wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Applicant:

That the application for Registered Nurse Licensure submitted by Andrew Elkins be withdrawn.

Applicant understands that the conduct resulting in the violations of law described in this Stipulated Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Applicant understands that this Stipulated Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Applicant understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Applicant acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Stipulated Order.

Applicant understands that this Stipulated Order is a document of public record.

Applicant has read this Stipulated Order, understands this Stipulated Order completely, and freely signs this Stipulated Order for Withdrawal of Application.

Andrew Elkins, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Jaime Fisher Larimer, RN

License No. 200840569RN

)
) **FINAL ORDER OF REVOCATION**
) **OF REGISTERED NURSE LICENSE**
) **BY DEFAULT**
)
) **Reference No. 16-01603**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jaime Fisher Larimer (Licensee) was issued a Registered Nurse License by the Board on April 08, 2008.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 16, 2016, a Notice stating that the Board intended to revoke the Registered Nurse License of Jaime Fisher Larimer was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee violated the terms and conditions of a Board order.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse License in the state of Oregon on April 08, 2008.
2. On April 15, 2015, Licensee was placed on probation after she failed to comply with the Health Professionals' Services Program (HPSP). She entered HPSP after she was reported to the Board for diversion of narcotics from the workplace. She had entered and successfully completed treatment. Per her probation agreement, Licensee shall participate in the Board's random urine drug testing program, abstain from intoxicating substances, avoid any products containing alcohol and/or poppy seeds, and maintain monthly contact with Board staff.
3. Since beginning probation, Licensee has missed at least six urine drug screens.

Licensee has also missed several calls to the lab. Licensee has not called the lab since June 9, 2016.

4. Licensee failed to maintain timely, monthly contact requiring Probation staff to reach out to Licensee to remind her of her obligation to maintain contact.
5. On January 26, 2016, Licensee tested positive for methamphetamine at a level of 689 ng/ml. Licensee denied the use of the substance. Licensee tested positive again on May 31, 2016 for morphine at a level of 307 ng/ml. Licensee believes the positive test is due to ingestion of a poppy seed muffin.
6. On June 16, 2016, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Jaime Fisher Larimer, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111 (1) (f) and OAR 851-045-0070 (5) (d) & (7) (d).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse License of Jaime Fisher Larimer is REVOKED.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: JAIME FISHER LARIMER:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

INCLUDE ONLY IF FOR REVOCATION: If, after a minimum of three (3) years, you wish to reinstate your Registered Nurse License/certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Kathy Galvez, Applicant) **WITHDRAWAL OF REGISTERD NURSE**
) **LICENSE AND NURSE PRACTITIONER**
Reference No. 16-01561) **CERTIFICATE APPLICATIONS**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses and Nurse Practitioners. Kathy Galvez (Applicant) applied for licensure as a Registered Nurse and certification as a Nurse Practitioner in the state of Oregon on or about February 22, 2016.

On or about February 22, 2016, the Board received an application from Applicant for Registered Nurse licensure and Nurse Practitioner certification. On that application, Applicant disclosed her DUII arrest and substance abuse treatment. The Board opened an investigation into the matter.

Applicant reported her clean and sober date of July 21, 2015. Applicant failed to meet the Board's minimum 18 month sobriety requirement.

Applicant may re-apply for licensure/certification after she obtains 18 months of documented, sustained sobriety.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(a), (e),and (f) and OAR 851-045-0070 (5)(c) and (d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(a) Conviction of the licensee of crime where such crime bears demonstrable relationship to the practice of nursing. A copy of the record of such conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.

(e) Impairment as defined in ORS 676.303.

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(5) Conduct related to impaired function:

(c) Practicing nursing when physical or mental ability to practice is impaired by use of drugs, alcohol or mind-altering substances.

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

Applicant wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Applicant:

That Kathy Galvez's application for Registered Nurse Licensure and Nurse Practitioner Certification be withdrawn.

Applicant understands that the conduct resulting in the violations of law described in this Stipulated Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Applicant understands that this Stipulated Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Applicant understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Applicant acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Stipulated Order.

Applicant understands that this Stipulated Order is a document of public record.

Applicant has read this Stipulated Order, understands this Stipulated Order completely, and freely signs this Stipulated Order for Withdrawal of Application.

IT IS SO AGREED:

Kathy Galvez

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Jamie Grijalva, RN) **VOLUNTARY SURRENDER**
)
License No. 098000492RN) **Reference No. 16-01703**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jamie Grijalva (Licensee) was issued a Registered Nurse License by the Board on July 29, 1998.

On November 15, 2012, Licensee was placed on probation after she was reported to the Board for alleged diversion and improper documentation. During the course of the investigation, Licensee admitted to diverting eight hydrocodone from the workplace. The terms and conditions of the order required Licensee to participate in the Board's random urine drug testing program and abstain from the use of alcohol and other intoxicating drugs.

Since beginning probation, Licensee has missed urine drug tests and tested positive for ETG, a metabolite of alcohol. Both are violations of the terms and conditions of her probation.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1) (f) and OAR 851-045-0070 (7) (d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by Endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined:

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(7) Conduct related to the licensee's relationship with the Board:

(d) Violating the terms and conditions of a Board order.

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender her Registered Nurse license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Registered Nurse license of Jamie Grijalva be accepted. If, after a minimum of three years, Ms. Grijalva wishes to reinstate her Registered Nurse license, she may submit an application to the Board to request reinstatement.

Licensee agrees that she will not practice as a Registered Nurse from the date she signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Jamie Grijalva, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF REVOCATION**
Ebony Hardaway, CNA) **BY DEFAULT**
)
)
Certificate No. 201111829CNA) **Reference No. 16-01338**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Ebony Hardaway (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on July 21, 2011.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 16, 2016, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant certificate of Ebony Hardaway was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder financially exploited a patient and that she failed to answer questions asked by the Board truthfully.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Certificate Holder was issued a Certified Nursing Assistant certificate in the state of Oregon on July 21, 2011.
2. On or about October 1, 2015, Certificate Holder used a patient's debit card to obtain \$200.00 in cash from an ATM without the patient's knowledge or permission.

3. On or about December 12, 2015, Certificate Holder used a patient's debit card without the patient's knowledge or permission. Certificate Holder attempted five ATM withdrawal transactions totaling \$820.00. All five transactions were declined.
4. On or about December 13, 2015, Certificate Holder used a patient's debit card without the patient's knowledge or permission. Certificate Holder attempted three ATM withdrawal transactions totaling \$660.00. All three transactions were declined.
5. On or about December 23, 2015, Certificate Holder used a patient's debit card to obtain \$480.00 in cash from an ATM without the patient's knowledge or permission.
6. On or about December 24, 2015, Certificate Holder used a patient's debit card to obtain \$500.00 in cash from an ATM without the patient's knowledge or permission.
7. On about December 26, 2015, Certificate Holder used a patient's debit card without the patient's knowledge or permission. Certificate Holder attempted four ATM withdrawal transactions totaling \$480.00. All four transactions were declined.
8. On or about January 14, 2016, Certificate Holder used a patient's debit card to obtain \$120.00 in cash from an ATM without the patient's knowledge or permission.
9. Between October 2, 2015, and December 28, 2015, Certificate Holder used a patient's debit card without the patient's knowledge or permission, to pay her car insurance totaling \$954.08.
10. The Board alleges that on or about March 29, 2016, Certificate Holder failed to answer questions asked by the Board truthfully.
11. On June 16, 2016, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Ebony Hardaway, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(d)(f), OAR 851-063-0080(4)(6) and OAR 851-063-0090(8)(1)(10)(b).

3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Certified Nursing Assistant certificate of Ebony Hardaway is REVOKED.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: EBONY HARDAWAY:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Certified Nursing Assistant certificate, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)
)
) **Reference No. 16-00788**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Jami Hermens (Licensee) was issued a Licensed Practical Nurse license by the Board on April 24, 2014.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 22, 2016, a Notice stating that the Board intended to revoke the Licensed Practical Nurse license of Jami Hermens was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee diverted narcotics from her workplace, falsified documentation, and made misrepresentations during the Board's investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Licensed Practical Nurse license in the state of Oregon on April 24, 2014.
2. On or about November 3, 2015, Licensee was reported to the Board for allegedly failing to properly document narcotics administration and for concerns that Licensee

was diverting narcotics from work. The Board opened an investigation into the matter.

3. While working as a nurse at Dallas Retirement Village, Licensee removed narcotics that had been prescribed to another person from the facility for an illicit use.
4. While working as a nurse at Dallas Retirement Village, on multiple occasions, Licensee falsified documentation when she documented administering the same medication to the same resident at approximately the same time on two separate pages of the facility's narcotic log. Documenting the same medication administration on two separate pages of the narcotic log assisted Licensee in removing twice as much medication as a resident required. In addition, on multiple occasions, Licensee failed to document administration of a resident's PRN (as needed) medications in the Medication Administration Record, though Licensee had signed out the medication in the narcotic log. Licensee had failed on multiple occasions to document administration of narcotics at the time they were administered.
5. During the Board's investigation of the above events, Licensee made misrepresentations about her conduct related to the allegations, including misrepresentations about her removal of narcotics from the workplace for illicit use.
6. On June 15, 2016, the Board reviewed the facts of the case against Licensee and voted to issue a Notice of Proposed Revocation of her Licensed Practical Nurse license.
7. On June 22, 2016, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.
8. Licensee did not request a hearing within the allotted twenty (20) days.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Jami Hermens, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(f) and OAR 851-045-0070(2)(f), (2)(i), (3)(a), (3)(b), (3)(c), (3)(d), (3)(e), (3)(g), (4)(b), (7)(b) & (7)(c).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Licensed Practical Nurse license of Jami Hermens is revoked.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: JAMI HERMENS:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within sixty (60) days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Licensed Practical Nurse license, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Tammy Jackson, CNA

)

) **FINAL ORDER OF REVOCATION**

) **BY DEFAULT**

)

)

Certificate No. 200810271CNA

) **Reference No. 16-00456**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Tammy Jackson (CNA) was issued a Nursing Assistant Certificate by the Board on February 4, 2008.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 20, 2016, a Notice stating that the Board intended to revoke the Nursing Assistant certificate of Tammy Jackson was sent to her via certified and first-class mail to her address of record. The Notice alleged that CNA failed to disclose an arrest and diagnosis of a mental condition in her nursing assistant renewal application.

The Notice granted CNA an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. CNA was issued a Nursing Assistant certificate in the state of Oregon on February 4, 2008.
2. On or about September 3, 2015, CNA failed to disclose in her nursing assistant renewal application that she was arrested for Criminal Trespassing on April 24, 2014.
3. On or about September 3, 2015, CNA failed to disclose in her nursing assistant renewal application that she was diagnosed with a mental condition on September 28, 2013 that could impair her ability to perform nursing assistant duties with reasonable skill and

safety.

4. On or about January 12, 2016, CNA failed to appear for her scheduled interview to discuss the allegations.
5. On or about May 5, 2016, CNA failed to appear for her scheduled interview to discuss the allegations.
6. On June 20, 2016, Board staff mailed a Notice of Proposed Revocation to CNA via first-class and certified mail. The Notice granted CNA twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the CNA, Tammy Jackson, and over the subject matter of this proceeding.
2. That CNA's conduct is in violation of ORS 678.442(2)(b)(f), OAR 851-063-0080(2), (5) and OAR 851-063-0090(7)(a)(B) and (10)(a)(b).
3. That CNA defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Nursing Assistant certificate of Tammy Jackson is REVOKED.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: TAMMY JACKSON:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Nursing Assistant certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF SUSPENSION**
Velvet Jeter, RN) **BY DEFAULT FOR**
) **FAILURE TO COOPERATE**
)
License No. 201602778RN) **Reference No. 16-01721**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Velvet Jeter (Licensee) was issued a Registered Nurse License by the Board on April 26, 2016.

This matter was considered by the Board at its meeting on July 13, 2016.

On May 31, 2016, a notice stating that the Board intended to suspend the Registered Nurse License of Licensee was sent to her via certified and first-class mail to her address of record. The Notice alleged that Velvet Jeter failed to cooperate with the Board during the course of an investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse License in the state of Oregon on April 26, 2016.
2. On or about April 28, 2016, the Board received notification that Jeter's North Carolina multistate license was disciplined for substandard or inadequate care, conduct evidencing ethical unfitness and for failing to cooperate with a Board investigation . The Board opened an investigation into the matter.

3. On May 2, 2016, Board staff mailed a letter to Licensee's address of record requesting that she schedule an interview to discuss the allegations. Licensee was further instructed to send a written statement regarding the allegations and a current work history. Licensee failed to schedule an interview and did not provide any documents to the Board.
4. On May 19, 2016, a second letter was sent to Licensee's address of record, requesting that she contact the Board within five (5) business days to schedule an interview to discuss the allegations. Licensee was also asked to provide a current work history and a written statement regarding the allegations. Licensee failed to schedule an interview and did not provide any documents to the Board.
5. On May 31, 2016, Board staff mailed a Notice of Proposed Suspension to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.
6. Licensee failed to respond to the Notice of Proposed Suspension within the required twenty (20) days. Consequently, Licensee's opportunity to request a hearing has expired and she is in default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Velvet Jeter, and over the subject matter of this proceeding.
2. That Licensee's failure to cooperate with the Board during the course of an investigation is grounds for disciplinary action pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(7)(a)(c).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse License of Velvet Jeter is SUSPENDED for a minimum of two weeks, commencing five business days from the date this Order is signed, and shall continue until such time as Velvet Jeter has fully cooperated with the Board's investigation. Should the Board reinstate the Registered Nurse License of Velvet Jeter, she would be subject to whatever terms and conditions the Board may impose.

DATED this _____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: VELVET JETER:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF SUSPENSION**
Dana Johnson, RN) **BY DEFAULT FOR**
) **FAILURE TO COOPERATE**
)
License No. 201508503RN) **Reference No. 16-01764**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Dana Johnson (Licensee) was issued a Registered Nurse License by the Board on November 05, 2015.

This matter was considered by the Board at its meeting on July 13, 2016.

On May 31, 2016, a notice stating that the Board intended to suspend the Registered Nurse License of Licensee was sent to her via certified and first-class mail to her address of record. The Notice alleged that Dana Johnson failed to cooperate with the Board during the course of an investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse License in the state of Oregon on November 5, 2015.
2. On or about May 5, 2016, the Board received a report Licensee's Registered Nurse license in North Dakota was suspended for allegations of diversion of narcotics. The Board opened an investigation into the matter.
3. On May 9, 2016, Board staff mailed a letter to Licensee's address of record requesting

that she schedule an interview to discuss the allegations. Licensee was further instructed to send a written statement regarding the allegations and a current work history. Licensee failed to schedule an interview and did not provide any documents to the Board.

4. On May 24, 2016, a second letter was sent to Licensee's address of record, requesting that she contact the Board within five (5) business days to schedule an interview to discuss the allegations. Licensee was also asked to provide a current work history and a written statement regarding the allegations. Licensee failed to schedule an interview and did not provide any documents to the Board.
5. On May 31, 2016, Board staff mailed a Notice of Proposed Suspension to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

Licensee failed to respond to the Notice of Proposed Suspension within the required twenty (20) days. Consequently, Licensee's opportunity to request a hearing has expired and she is in default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Dana Johnson, and over the subject matter of this proceeding.
2. That Licensee's failure to cooperate with the Board during the course of an investigation is grounds for disciplinary action pursuant to ORS 678.111(1)(f) amnd OAR-851-045-0070 (7)(a) and (c).

That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse License of Dana Johnson is SUSPENDED for a minimum of two weeks, commencing five business days from the date this Order is

signed, and shall continue until such time as Dana Johnson has fully cooperated with the Board's investigation. Should the Board reinstate the Registered Nurse License of Dana Johnson, she would be subject to whatever terms and conditions the Board may impose.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: DANA JOHNSON:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Rebecca Lynn Johnson) **WITHDRAWAL OF REGISTERED**
) **NURSE LICENSE APPLICATION**
)
Registered Nurse License Applicant) **Reference No. 16-01293**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse (RN) license applicants. In January 2016, Rebecca Lynn Johnson (Applicant) applied for RN licensure by endorsement in the state of Oregon.

On or about July 12, 2006, Applicant was issued a Michigan RN license. On August 20, 2013, Applicant tested positive for alcohol at work. On November 1, 2013, Applicant entered into a monitoring agreement with Health Professional Recovery Program (HPRP). On August 18, 2014, Applicant's HPRP case was closed as non-compliant. Due, in part, to the above-mentioned information, Applicant's Michigan RN license was suspended on September 3, 2015. In November 2014, Applicant was arrested for Operating (a vehicle) While Intoxicated and, as a result, she was subsequently court-ordered to probation. In October 2015, Applicant was arrested for violation of court-ordered probation as a result of her consuming alcohol that same month.

By the above actions, Applicant is subject to discipline pursuant to ORS 678.111(1)(e) and (f) and (g) and (h) and OAR 851-031-0006(2)(b) and (c) and OAR 851-045-0070(5)(c) and (d) which provide as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

- (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
 - (e) Impairment as defined in ORS 676.303.
 - (f) Conduct derogatory to the standards of nursing.
 - (g) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder.
 - (h) Revocation or suspension of a license to practice nursing by any state or territory of the United States, or any foreign jurisdiction authorized to issue nursing credentials whether or not that license or credential was relied upon in issuing that license in this state. A certified copy of the order of revocation or suspension shall be conclusive evidence of such revocation or suspension.

OAR 851-031-0006 General Eligibility, Limits on Eligibility, and Requirements

(2) Limits on Eligibility:

(b) If an applicant has been arrested, charged or convicted of any criminal offense a determination shall then be made as to whether the arrest, charge or conviction bears a demonstrable relationship to the practice of nursing, in which case licensure may be denied.

(c) If the applicant has past, current or pending disciplinary action in another licensing jurisdiction, the Board shall investigate and may deny licensure.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(5) Conduct related to impaired function:

(c) Practicing nursing when physical or mental ability to practice is impaired by use of drugs, alcohol or mind-altering substances.

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

Applicant wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Applicant:

That the Stipulated Order For Withdrawal of Registered Nurse License Application of Rebecca Lynn Johnson be accepted. If at a later time applicant wishes to reapply for a license to perform the duties of a registered nurse, she shall make reapplication to the Board.

Applicant understands that the conduct resulting in the violations of law described in this Stipulated Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Applicant understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against future applications, up to and including denial of her license to practice as a RN.

Applicant understands that this Stipulated Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Applicant understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Applicant acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Stipulated Order.

Applicant understands that this Stipulated Order is a document of public record.

Applicant has read this Stipulated Order, understands this Stipulated Order completely, and freely signs this Stipulated Order.

IT IS SO AGREED:

Rebecca Lynn Johnson

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF REVOCATION**
Holly Konno Boegemann, CMA) **BY DEFAULT**
)
)
Certificate No. 201220025CMA,) **Reference No. 16-01668**
200910849CNA

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Medication Aides and Certified Nursing Assistants. Holly Konno Boegemann (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on April 3, 2009 and a Certified Medication Aide Certificate on March 5, 2012.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 16, 2016, a Notice stating that the Board intended to revoke the Certified Nursing Assistant and Certified Medication Aide certificates of Holly Konno Boegemann was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder diverted narcotics, failed to administer medication as directed, administered medication without an order, and failed to cooperate with the Board's investigation.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Certificate Holder was issued a Certified Nursing Assistant Certificate by the Board on April 3, 2009 and a Certified Medication Aide Certificate on March 5, 2012.

2. The Board alleges that on or about April 8, 2016, Certificate Holder replaced an ordered medication with a non-ordered medication and administered it to a patient.
3. On or about April 8, 2016, Certificate Holder documented the removal of two ordered narcotic tablets from a medication cart and failed to administer the two tablets to the patient.
4. Between January 26, 2016, and March 8, 2016, Certificate Holder falsely documented the administration of sixty (60) narcotic medications to a patient.
5. The Board alleges that between January 7, 2015, and April 8, 2016, Certificate Holder regularly put multiple patient's medications in unmarked cups prior to administration, jeopardizing the safety of patients.
6. On or about April 25, 2016, Certificate Holder was mailed a letter to her address of record requesting that she schedule an interview with Board staff, provide a copy of her work history and provide a written statement regarding the alleged diversion within fifteen (15) days. Certificate Holder failed to respond to the Board's request.
7. On or about May 11, 2016, Certificate Holder was mailed a letter to her address of record requesting that she schedule an interview with Board staff within five (5) business days. Certificate Holder failed to respond to the Board's request.
8. On June 16, 2016, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Holly Konno Boegemann, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(d)(f), OAR 851-063-0080(4)(6), OAR 851-063-0090(1)(b), (2)(a)(b), (3)(d), (4)(c)(A)(D), (8)(d)(i)(j), (10)(c), and OAR 851-063-0100(1)(3)(5)(7).
3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Certified Nursing Assistant and Certified Medication Aide certificates of Holly Konno Boegemann is REVOKED.

DATED this _____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: HOLLY KONNO BOEGEMANN:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Certified Nursing Assistant and/or Certified Medication Aide certificates, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Jeamilette Legare**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)

License No. 200930379LPN

) **Reference No. 15-00622**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Jeamilette Legare (Licensee) was issued a Licensed Practical Nurse license by the Board on August 26, 2009.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 22, 2016, a Notice stating that the Board intended to revoke the Licensed Practical Nurse license of Jeamilette Legare was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee was convicted of crimes involving use of substances in a manner dangerous to herself and others, and that Licensee failed to respond to requests from Board staff during the Board's investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Licensed Practical Nurse license in the state of Oregon on August 26, 2009.
2. On or about October 17, 2014, Licensee submitted an application to the Board for renewal of her Licensed Practical Nurse license. On that application, Licensee disclosed that she had been criminally charged with identity theft. The Board opened an investigation into the matter.
3. On or about October 13, 2014, Licensee was convicted of four counts of Attempt to

Commit Crime-Theft of Identity and sentenced to twenty-four months of court probation. The charges were related to Licensee attempting to obtain medications (opiates and benzodiazepines) from a pharmacy using fraudulent prescriptions and using another person's name. As part of the terms of Licensee's sentence, Licensee was prohibited from working in the medical field where she would have access to anyone's personal information.

4. On or about April 7, 2015, Licensee was arrested over concerns that she was driving erratically. Licensee exhibited signs of impairment, and after a Drug Recognition Evaluation was performed, Licensee was determined to be under the influence of a central nervous system depressant and unable to operate a vehicle safely. The April 7, 2015 incident led to charges being filed against Licensee for Driving Under the Influence of Intoxicants-Controlled Substance, Reckless Driving, and two counts of Possession of Controlled Substance in Schedule IV for alleged unlawful possession of lorazepam and clonazepam. On or about April 25, 2016, Licensee was convicted of Driving Under the Influence of Intoxicants and was sentenced to two days in jail and twenty-four months of court probation.
5. On or about December 9, 2015, Licensee was charged with Driving Under the Influence of Intoxicants for an incident that occurred on or about July 12, 2015. On or about January 4, 2016, Licensee pled guilty of Driving Under the Influence of Intoxicants.
6. Licensee did not respond to requests from Board staff during the present investigation. Board staff had requested that Licensee provide a detailed written statement on her most recent arrest, a detailed written statement on her history of substance use, copies of medical records for any providers that had prescribed controlled substances to her, and copies of any records related to treatment she had received for chemical dependency and/or mental health issues. Licensee did not provide the requested information or records.
7. On June 15, 2016, the Board reviewed the facts of the case against Licensee and voted to issue a Notice of Proposed Revocation of her Licensed Practical Nurse license.
8. On June 22, 2016, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.
9. Licensee did not request a hearing within the allotted twenty (20) days.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Jeamilette Legare, and over the

subject matter of this proceeding.

2. That Licensee's conduct is in violation of ORS 678.111(1)(a) & (1)(f) and OAR 851-045-0070(2)(i), (5)(d), (7)(a) & (7)(c).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Licensed Practical Nurse license of Jeamilette Legare is revoked.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: JEAMILETTE LEGARE:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within sixty (60) days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Licensed Practical Nurse license, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Kathleen McCornock, RN) **REPRIMAND OF LICENSE**
)
License No. 201041456RN) **Reference No. 16-01323**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Kathleen McCornock (Licensee) was issued a Registered Nurse License by the Board on July 01, 2010.

On or about February 24, 2016, the Board received information that Licensee failed to report actual and/or suspected incidents of sexual abuse to the appropriate state agencies and failed to fulfill her duties as a mandatory reporter.

During the Board's investigation information was received that substantiated Licensee failed to fulfill her duties as a mandatory reporter when she did not report the alleged sexual abuse of a resident to the appropriate state agency.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f) and OAR 851-045-0070(2)(d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(d) Failing to report actual or suspected incidents of client abuse through the proper channels in the work place and to the appropriate state agencies.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be

proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Registered Nurse license of Kathleen McCornock be reprimanded.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her license, up to and including revocation of her license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Kathleen McCornock, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF REVOCATION**
Abbie McQueen, CNA) **BY DEFAULT**
)
)
Certificate No. 200912687CNA) **Reference No. 16-00902**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Abbie McQueen (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on September 30, 2009.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 16, 2016, a Notice stating that the Board intended to revoke the Certified Nursing Assistant certificate of Abbie McQueen was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder failed to cooperate with the Board's investigation, possessed and used drugs in a manner injurious to herself or others, and failed to report a felony conviction.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Certificate Holder was issued a Certified Nursing Assistant certificate in the state of Oregon on September 30, 2009.

2. On or about July 21, 2014, Certificate Holder was arrested for Possession of Oxycodone – Felony. Certificate Holder failed to inform the Board of the arrest.
3. The Board alleges that on or about June 30, 2015, Certificate Holder was arrested for Possession of Methamphetamine – Felony and Failure to Appear on a Citation – Misdemeanor.
4. The Board alleges that on or about January 7, 2016, Certificate Holder was convicted of Possession of Methamphetamine – Felony, and Failure to Appear on a Citation - Misdemeanor.
5. The Board alleges that on or about December 15, 2015, a letter was mailed to Certificate Holder at her address of record, requesting that she provide a written statement regarding her arrest history, proof of completion of court requirements, treatment records, and her work history. Certificate Holder did not provide the requested information.
6. The Board alleges that on or about April 12, 2016, a letter was mailed to Certificate Holder at her address of record, requesting that she contact the Board within five (5) business days to schedule an interview to discuss her arrest history. Certificate Holder was also asked to send a written statement regarding her arrest history and to provide her current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
7. On June 16, 2016, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Abbie McQueen, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(a)(b)(d)(f), OAR 851-063-0090(1)(b), (8)(i)(n)(o), and (10)(b)(c).
3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Certified Nursing Assistant certificate of Abbie McQueen is REVOKED.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: ABBIE MCQUEEN:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Certified Nursing Assistant certificate, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Cindy Miller, RN) **REPRIMAND OF LICENSE**
)
License No. 095007144RN) **Reference No. 16-01322**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Cindy Miller (Licensee) was issued a Registered Nurse License by the Board on December 05, 1995.

On or about February 24, 2016, the Board received information that Licensee failed to report actual and/or suspected incidents of sexual abuse to the appropriate state agencies and failed to fulfill her duties as a mandatory reporter.

During the Board's investigation information was received that substantiated Licensee failed to fulfill her duties as a mandatory reporter when she did not report the alleged sexual abuse of a resident to the appropriate state agency.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f) and OAR 851-045-0070(2)(d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(d) Failing to report actual or suspected incidents of client abuse through the proper channels in the work place and to the appropriate state agencies.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Registered Nurse license of Cindy Miller be reprimanded.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her license, up to and including revocation of her license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Cindy Miller, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Shela Pennington, LPN

License No. 201130658LPN

)

) **FINAL ORDER OF REVOCATION OF**

) **PRACTICAL NURSE LICENSE BY**

) **DEFAULT**

)

) **Reference No. 16-01249**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Shela Pennington (Licensee) was issued a Practical Nurse license by the Board on December 14, 2011.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 21, 2016, a Notice stating that the Board intended to revoke the Practical Nurse license of Shela Pennington was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee failed to conform to acceptable nursing practice standards. The Notice further alleged that that Licensee cannot currently practice nursing safely due to the status of her mental health conditions. The Notice also alleged that Licensee obtained and abused controlled substances without a legitimate prescription or lawful authority to do so.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Practical Nurse license in the state of Oregon on December 14, 2011.
2. On or about February 5, 2016, Licensee was reported to the Board for allegedly being arrested the previous month for disorderly conduct while intoxicated and exhibiting psychotic behavior as well as suicidal ideation since that time. The Board opened an

investigation into the matter.

3. In 2013, Licensee made multiple medication administration errors while working at Life Care Center of McMinnville. In 2014, Licensee made multiple medication administration errors while working at Dallas Retirement Village. In 2015, Licensee failed to appear for multiple scheduled shifts at Salem Transitional Care and failed to notify the facility that she would not be appearing for those shifts.
4. In 2014 and/or 2015, Licensee abused cocaine and Adderall that was not prescribed to her.
5. On or about January 12, 2016, Licensee was arrested for disorderly conduct and resisting arrest while intoxicated.
6. On or about January 25, 2016, Licensee was removed from a bank by police for mental health care immediately following an incident in which she suffered a mental health crisis. In the days surrounding this incident, Licensee was seen by multiple health care providers that assigned her multiple mental health diagnoses with recommendations for medications, which she declined to follow. Licensee has a significant history of mental health treatment as well as a history of suicide attempts via overdose and a recent history of suicidal ideation.
7. On June 21, 2016, Board staff mailed a Notice of Proposed Revocation of Practical Nurse License to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Shela Pennington, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(e) and (f) and (g) and OAR 851-045-0070(2)(i) and (4)(b) and (5)(d).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully

advised in the premises, it is hereby:

ORDERED that the Practical Nurse license of Shela Pennington is revoked.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: SHELA PENNINGTON:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Practical Nurse license, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Katherine Persinger, LPN) **REPRIMAND OF LICENSE**
) **WITH CONDITIONS**
License No. 095005090LPN) **Reference No. 16-01105**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Katherine Persinger (Licensee) was issued a Licensed Practical Nurse License by the Board on August 10, 1995.

On or about January 12, 2016, the Board received information that Licensee was terminated from her employment after she allegedly failed to take action, failed to appropriately document and practicing outside of her scope as a Licensed Practical Nurse. The Board opened an investigation into the matter.

Board staff was able to substantiate that Licensee, on at least one occasion, failed to administer a medication in a timely manner, documented that she had performed a dressing change when she had not and failed to document an order for IV fluids in a timely manner.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (f); and OAR 851-045-0070 (1) (c) and (3) (g) and (h):

678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

851-045-0070

Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(1) Conduct related to the client's safety and integrity:

(c) Failing to develop, implement and/or follow through with the plan of care.

(3) Conduct related to communication:

(g) Failing to maintain client records in a timely manner which accurately reflects management of client care, including failure to make a late entry within a reasonable time period.

(h) Failing to communicate information regarding the client's status to members of the health care team

(physician, nurse practitioner, nursing supervisor, nurse co-worker) in an ongoing and timely manner. Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Licensed Practical Nurse license of Katherine Persinger be reprimanded. That Katherine Persinger shall complete a course of study on the subject of Professional Accountability and Legal Liability for Nurses.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her license, up to and including revocation of her license to practice as a Licensed Practical Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Katherine Persinger, LPN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Danielle Primbs, RN**

**) STIPULATED ORDER FOR
) PROBATION OF REGISTERED
) NURSE LICENSE
) Reference No. 16-01589**

License No. 200340780RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Danielle Primbs (Licensee) was issued a Registered Nurse license by the Oregon State Board of Nursing (Board) on June 10, 2003.

On or about April 7, 2016, the Board received information alleging that Licensee was arrested at her place of employment. The Board opened an investigation into the matter.

According to records, on or about April 6, 2016 Licensee was arrested on Assault 4 charges in Salem, Oregon, after an incident involving a minor child. The criminal case is pending.

During the course of the Board's investigation, additional information was received alleging that Licensee has a medical issue that may affect her ability to safely practice nursing.

A review of Licensee's nursing practice history revealed that Licensee's practice had been declining over the past year. However, it was recently reported Licensee's nursing practice has improved over the past month.

Licensee cooperated with the Board's investigation into her medical issues and signed releases of information for Board staff to communicate with her providers and review her medical and treatment records.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(e) and (f) and OAR 851-045-0070 4 (b), and (5)(b), (c) and (d) which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(e) Impairment as defined in ORS 676.303.

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(f) Unauthorized removal or attempted removal of narcotics, other drugs, supplies, property, or money

from clients, the work place, or any person.

(4) Conduct related to achieving and maintaining clinical competency:
(b) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established.

(5) Conduct related to impaired function:

(b) Practicing nursing when unable/unfit to perform procedures and/or make decisions due to psychological or mental impairment as evidenced by documented deterioration of functioning in the practice setting and/or by the assessment of a health care provider qualified to diagnose mental condition/status; and

(c) Practicing nursing when physical or mental ability to practice is impaired by use of drugs, alcohol or mind-altering substances.

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

Licensee admits that the above allegations occurred and constitute violations of the Nurse Practice Act. Licensee wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

Licensee's Registered Nurse license shall be placed on probation effective the date the Board approves this Stipulated Order for Probation. Licensee's compliance with this Order will be monitored by the Oregon State Board of Nursing. Licensee must complete a twelve (12) month period of probation to begin upon Licensee's return to practice, monitored as outlined below. Licensee must practice a minimum of sixteen (16) hours per week, and no more than a maximum of one (1.0) FTE. Licensee must practice in a setting where Licensee can exercise the full extent of Licensee's scope of practice, in order to demonstrate Licensee's competence. Limited overtime may be approved on occasion, at the discretion of Board staff.

Licensee shall comply with the following terms and conditions of probation:

1. Licensee shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
2. Licensee shall have twenty-four (24) months from Board's acceptance of this Order to complete twelve (12) months of monitored practice.
3. Licensee shall notify Board staff, in writing, prior to any change of address or employment setting during the probation period.
4. Licensee shall maintain an active license.
5. Licensee shall inform Board staff in advance of any absences from Oregon and/or any move from Oregon to another licensing jurisdiction. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated.
6. Licensee shall appear in person or by phone, to designated Board staff for interviews on a monthly basis during the probationary period. Frequency of contact may be reviewed and revised periodically at the discretion of Board staff.

7. Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
8. Licensee will not look for, accept, or begin a new nursing position without prior approval of the Board. This includes changes of the employer itself or changes within the facility or institution.
9. Licensee shall inform current and prospective employers, including any Nurse Executive, of the probationary status of Licensee's license, the reasons for probation, and terms and conditions of probation. If Licensee's employer has a Nurse Executive, Licensee shall inform Board staff of the name of the Nurse Executive and Board staff will provide the Nurse Executive with a copy this Order.
10. Licensee shall work under the direct supervision of another licensed healthcare professional, functioning at the same or higher level of licensure, who is working in the same physical location and readily available to observe Licensee's practice and provide assistance. Licensee shall be employed in a setting where Licensee's nursing supervisor agrees to submit written evaluations of work performance (on forms provided by the Board) every three (3) months during the probationary period. The quarterly evaluation is expected to be received by Board staff within ten (10) days of the due date. If the evaluation is not timely received, Board staff will contact the employer with a reminder. If Board staff is not in receipt of the report within five (5) business days from the reminder date, Licensee may be restricted from practicing as a nurse.
11. Between quarterly reporting periods, the Nurse Executive or a person designated by Licensee's employer shall inform Board staff of any instance of Licensee's non-compliance with the terms and conditions of this Order or of any other concern regarding Licensee's work-related conduct or personal behavior that may affect Licensee's ability to perform the duties of a nurse.
12. Licensee shall notify Board staff when there is a change in status of employment, including resignations and terminations.
13. Licensee shall not work in any practice setting when on-site supervision is not available. This generally includes home health agencies, traveling agencies, float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside of acute care settings.
14. Licensee shall obtain a third party chemical dependency and mental health evaluation from a Board approved evaluator by July 20, 2016, to determine if Licensee has a mental health or chemical dependency diagnosis that could affect her ability to safely practice nursing. Licensee shall participate in and comply with any treatment recommendations set forth by the third party evaluator.
15. If treatment is required by the third party evaluator, within fourteen (14) days of completing treatment, Licensee shall submit to Board staff a copy of Licensee's completion certificate or discharge summary. Licensee shall attend Narcotics Anonymous (NA), Alcoholics Anonymous (AA) or similar recovery program on a weekly basis and provide proof of attendance to Board staff. Licensee shall sign any release of information necessary to allow Board staff to communicate with Licensee's treatment provider and release Licensee's treatment records to the Board.

16. Licensee shall participate in the Board's random urine program for a minimum of six months. After six months the probation monitor may re-evaluate participation and frequency. Failure to comply with the random urine program will result in an immediate removal from the performance of nursing duties. Licensee shall submit to tests to determine the presence of unauthorized substances immediately upon request by Board staff or the employer. Licensee shall sign any release of information necessary to ensure the Board will receive the results of such testing. The presence of unauthorized substances may be considered a violation of the terms and conditions of this stipulation. Licensee will obtain an evaluation by a Board approved chemical dependence evaluator upon request of Board staff. Licensee understands that she will be financially responsible for any costs related to testing and evaluation. Failure to keep the account with the Board's lab vendor in good standing will be considered a violation of this agreement.
17. Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while on probation, except as provided in Section 18 below. Licensee shall avoid any over-the-counter products and food items containing alcohol and/or poppy seeds.
18. Licensee may take medication for a documented medical condition provided that the medication is from a valid prescription prescribed by a person authorized by law to write such a prescription for the documented medical condition. Licensee shall notify Board staff of any prescription within seventy-two (72) hours of its issuance. Licensee shall sign any release of information necessary to allow Board staff to communicate with the prescribing person and release Licensee's records to the Board. Licensee shall discard any unused prescription medication when no longer needed or when expired.
19. Licensee shall cease practicing as a nurse upon the occurrence of a relapse, or at the request of Board staff because of a relapse or relapse behavior. Practice may resume only when approved in writing by Board staff, in consultation with Licensee's employer.
20. Licensee shall notify any and all healthcare providers of the nature of Licensee's chemical dependency/mental health diagnosis to ensure that Licensee's health history is complete before receiving any treatment, including medical and dental. Licensee shall provide a copy of this Order to Licensee's healthcare providers. Licensee shall provide Board staff with the names and contact information of any and all health care providers. Licensee shall sign any release of information necessary to allow Board staff to communicate with Licensee's healthcare providers and release Licensee's medical and treatment records to the Board. Licensee is financially responsible for any costs incurred for compliance with the terms and conditions of this Order.
21. Licensee shall notify Board staff at least three (3) business days prior to leaving town or going on vacation, with the exception of a family emergency.
22. Licensee shall cooperate fully with Board staff in the supervision and investigation of Licensee's compliance with the terms and conditions of this Order.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event Licensee engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against Licensee's license, up to and including revocation of Licensee's license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, Licensee waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce Licensee to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Probation.

IT IS SO AGREED:

Danielle Primbs, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Colleen Schaffer, LPN) **REPRIMAND OF LICENSE**
)
License No. 201230516LPN) **Reference No. 16-00293**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Colleen Schaffer (Licensee) was issued a Licensed Practical Nurse License/Certificate by the Board on October 18, 2012.

On or about August 15, 2015, the Board received information that Licensee failed to take action and complete a full assessment of a patient under her care while working at Parkview Cherrywood Village. According to the complaint, Licensee received information from the resident's companion that the resident appeared to have a change in condition, and requested assistance. Upon arrival at the facility, Licensee went to the resident's room to perform a check on the resident, but failed to complete a physical assessment or document the encounter. The resident was later sent to the hospital for treatment. The Board opened an investigation into the matter.

Licensee acknowledged she failed to document the patient encounter, or her interaction with the resident. Licensee expressed remorse for failing to perform an assessment and document the resident's condition when she went to the resident's room.

Licensee stated when she arrived at the facility, she was asked to check on the resident by the administrator. Licensee stated she was not given any indication the request was of an emergent nature. Licensee immediately went to check on the resident and asked her how she was doing and received a verbal response from the resident which appeared to her as consistent with the resident's baseline condition prior to her absence from the facility. However, she acknowledged this verbal interaction did not meet the expected standard of care for an assessment due to a reported concern regarding a resident's condition.

Licensee completed coursework on Righting a Wrong: Ethics and Professionalism in Nursing and Sharpening Critical Thinking Skills as a means of remediating the matter. Licensee further stated she has learned from this experience the importance of complete and thorough assessments and documentation in every patient encounter. .

By the above actions, Licensee is subject to discipline pursuant to ORS 676.111 (1) (f) and (g) and OAR 851-0045-0070 (1) (a) and (b) and (3) (b) which reads as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

(g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

OAR 851-045-0070

Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(1) Conduct related to the client's safety and integrity:

(a) Developing, modifying, or implementing standards of nursing practice/care which jeopardize patient safety.

(b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment.

(3) Conduct related to communication:

(b) Incomplete recordkeeping regarding client care; including, but not limited, to failure to document care given or other information important to the client's care or documentation which is inconsistent with the care given.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Licensed Practical Nurse license of Colleen Schaffer be reprimanded.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her license, up to and including revocation of her license to practice as a Licensed Practical Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval

and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Colleen Schaffer, LPN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Teresa Schneider, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 201406146CNA) **Reference No. 16-01324**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Teresa Schneider (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on September 05, 2014.

On or about February 24, 2016, the Board received information that Certificate Holder failed to report actual and/or suspected incidents of sexual abuse to the appropriate state agencies and failed to fulfill her duties as a mandatory reporter.

During the Board's investigation information was received that substantiated Certificate Holder failed to fulfill her duties as a mandatory reporter when she did not report the alleged sexual abuse of a resident to the appropriate state agency.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442 (2)(f) and OAR 851-063-0090 (1)(d) which read as follows:

ORS 678.442 Certification of nursing assistants; rules.

(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:

(f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

(1) Conduct related to the client's safety and integrity

(d) Failing to report actual or suspected incident of client abuse.

Certificate Holder wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Certificate Holder:

That the Certified Nursing Assistant certificate of Teresa Schneider be reprimanded.

Certificate Holder understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Certificate Holder understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her certificate, up to and including revocation of her certificate to practice as a Certified Nursing Assistant.

Certificate Holder understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Certificate Holder understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Certificate Holder acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Certificate Holder understands that this Order is a document of public record.

Certificate Holder has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Teresa Schneider, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Joshua Scott, RN**

) **STIPULATED ORDER FOR
REPRIMAND OF LICENSE
WITH CONDITIONS
Reference No. 16-01446**

License No. 200541458RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Joshua Scott (Licensee) was issued a Registered Nurse License by the Board on July 07, 2005.

On or about March 16, 2016, the Board received information that Licensee engaged in verbal abuse of patients and coworkers while participating in the clinical portion of his nurse practitioner educational program. The Board opened an investigation into the matter.

During the Board's investigation, evidence was received that substantiated Licensee made inappropriate comments about staff and patients during his time at the clinical site. As a result of this conduct, Licensee was dismissed from the Gonzaga Masters of Nursing Program on or about April 13, 2016.

Licensee fully cooperated with the Board's investigation and submitted several letters of recommendation regarding his nursing practice.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f) and OAR 851-045-0070 which reads as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee.

In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Registered Nurse license of Joshua Scott be reprimanded and that he will comply with the following conditions:

Licensee shall complete the National Council for Boards of Nursing continuing education courses: Diversity: Building Cultural Competence, Professional Accountability & Legal Liability for Nurses and Professional Boundaries in Nursing. All courses are located at the following website: <http://learningext.com/nurses/>

Licensee shall provide proof of successful completion of these courses by providing the Board a copy of a certificate of completion within 30 days of the date the Stipulated Order is signed by Licensee.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his license, up to and including revocation of his license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Joshua Scott, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Christine Speed) **VOLUNTARY SURRENDER**
)
License No. 201241114RN) **Reference No. 16-01772**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Christine Speed (Licensee) was issued a Registered Nurse license by the Board on May 11, 2012.

On or about May 5, 2016, the Board received information that Licensee had held a Registered Nurse license in Utah and that Licensee's Utah Registered Nurse license had been revoked.

On or about April 11, 2013, the Utah Division of Occupational and Professional Licensing issued an order revoking Licensee's Utah Registered Nurse license.

On her Oregon licensure renewal applications, Licensee was required to report any actions taken against any nursing license in any other state. Licensee failed to report the revocation of her Utah Registered Nurse license on her Oregon licensure renewal application.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) & (1)(h) and OAR 851-045-0070(7)(b), which provide as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

- (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
 - (f) Conduct derogatory to the standards of nursing.
 - (h) Revocation or suspension of a license to practice nursing by any state or territory of the United States, or any foreign jurisdiction authorized to issue nursing credentials whether or not that license or credential was relied upon in issuing that license in this state. A certified copy of the order of revocation or suspension shall be conclusive evidence of such revocation or suspension.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

- (7) Conduct related to the licensee's relationship with the Board:
 - (b) Failing to answer truthfully and completely any question asked by the Board on an application for licensure or during the course of an investigation or any other question asked by the Board.

Licensee wishes to cooperate with the Board in this matter and wishes to voluntarily surrender her Registered Nurse license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Registered Nurse license of Christine Speed be accepted. If, after a minimum of three years, Ms. Speed wishes to reinstate her Registered Nurse license, she may submit an application to the Board to request reinstatement.

Licensee agrees that she will not practice as a Registered Nurse from the date she signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

IT IS SO AGREED:

Christine Speed

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Edward Stormont, RN) **REPRIMAND OF LICENSE**
)
License No. 200840533RN) **Reference No. 16-01508**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Edward Stormont (Licensee) was issued a Registered Nurse License by the Board on April 02, 2008.

Licensee came to the attention of the Board when on March 24, 2016 a complaint was received alleging that on three occasions between January 2 and February 24, 2016, Licensee removed sutures from the venous access catheters (CVC) of three patients receiving dialysis without a physician order.

The three patients had catheters in place to receive hemodialysis. The catheters were tunneled, cuffed, double lumen, silastic catheters and were placed in the right internal jugular vein. When such catheters are surgically inserted, sutures are used to prevent catheter malposition. It is recommended the sutures remain in place for at least 3 weeks, to ensure the cuff becomes adhered to the skin. In all three cases, following the suture removal the catheters migrated and had to be surgically replaced.

Licensee he reported that when the patients complained to him that the sutures were irritating their skin, he notified the physicians and received verbal orders to take them out. He acknowledged that he had failed to document the order and the procedure. Review of the patient records confirms that the orders were not documented.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (f), OAR 851-045-0070 (1) (a), (3) (b) and (4) (a), which provides as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070

Conduct Derogatory to the Standards of Nursing Defined

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(1) Conduct related to the client's safety and integrity:

(a) Developing, modifying, or implementing standards of nursing practice/care which jeopardize patient safety.

(3) Conduct related to communication:

(b) Incomplete recordkeeping regarding client care; including, but not limited, to failure to document care given or other information important to the client's care or documentation which is inconsistent with the care given.

(4) Conduct related to achieving and maintaining clinical competency:

(a) Performing acts beyond the authorized scope or the level of nursing for which the individual is licensed.

Licensee wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Registered Nurse license of Edward Stormont be reprimanded. That Licensee complete two courses of study; Nurse Practice Act and Professional Wrongdoing: Reconciliation and Recovery.

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his license, up to and including revocation of his license to practice as a Registered Nurse.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

Edward Stormont, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostecky, MS, MPA, RN
Board President

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Sarah Veuleman, RN

License No. 201042210RN

)

) **FINAL ORDER OF REVOCATION OF**

) **REGISTERED NURSE LICENSE BY**

) **DEFAULT**

)

) **Reference No. 16-01188**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Sarah Veuleman (Licensee) was issued a Registered Nurse license by the Board on July 28, 2010.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 21, 2016, a Notice stating that the Board intended to revoke the Registered Nurse license of Sarah Veuleman was sent to her via certified and first-class mail to her address of record. The Notice alleged that Licensee obtained, abused, and dispensed controlled substances without a legitimate prescription or lawful authority to do so. The Notice further alleged that that Licensee cannot currently practice nursing safely due to the status of her physical and mental health conditions. The Notice also alleged that Licensee failed to truthfully answer a question asked by Board staff during the course of this investigation.

The Notice granted Licensee an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Licensee was issued a Registered Nurse license in the state of Oregon on July 28, 2010.
2. On or about January 27, 2016, Licensee was reported to the Board for allegedly obtaining illegitimate prescriptions for narcotic medications which she used to obtain those narcotic medications. The Board opened an investigation into the matter.
3. In approximately June/July 2015, Licensee abused Valium by consuming it in a manner

other than it was prescribed to her.

4. Between October 2015 and January 2016, Licensee intentionally and repeatedly obtained controlled substances without a legitimate prescription or lawful authority to do so.
5. On or about April 18, 2016, Board staff asked Licensee if she intentionally and repeatedly obtained controlled substances without a legitimate prescription or lawful authority to do so between October 2015 and January 2016 to which she replied that she did not.
6. In 2016, Licensee obtained and dispensed Vicodin without lawful authority to do so.
7. Licensee has a significant history of physical and mental health treatment as well as a recent history of suicidal ideation. Both a physical health physician and a mental health physician that Licensee recently received treatment from, have subsequently stated that Licensee cannot currently practice nursing safely due to the status of her physical and mental health conditions.
8. On June 21, 2016, Board staff mailed a Notice of Proposed Revocation of Registered Nurse License to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Sarah Veuleman, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(e) and (f) and (g) and (i) and OAR 851-045-0070(2)(i) and (5)(d) and (7)(b).
3. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Registered Nurse license of Sarah Veuleman is revoked.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: SARAH VEULEMAN:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Registered Nurse license, you may submit an application to the Board to request reinstatement.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF SUSPENSION**
Ruth Whitaker, CNA) **BY DEFAULT FOR**
) **FAILURE TO COOPERATE**
)
Certificate No. 200410835CNA) **Reference No. 16-01891**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Ruth Whitaker (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on April 19, 2004.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 21, 2016, a notice stating that the Board intended to suspend the Nursing Assistant Certificate of Certificate Holder was sent to her via certified and first-class mail to her address of record. The Notice alleged that Ruth Whitaker failed to cooperate with the Board during the course of an investigation.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

-I-

FINDINGS OF FACT

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Certificate Holder was issued a Nursing Assistant Certificate in the state of Oregon on April 19, 2004.
2. On or about May 23, 2016, Certificate Holder was reported to the Board on allegations she was impaired at work and refused a for-cause drug screen. The Board opened an investigation into the matter.

3. On May 31, 2016, Board staff mailed a letter to Certificate Holder's address of record requesting that she schedule an interview to discuss the allegations. Certificate Holder was further instructed to send a written statement regarding the allegations and a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
4. On June 16, 2016, a second letter was sent to Certificate Holder's address of record, requesting that she contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to provide a current work history and a written statement regarding the allegations. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
5. On June 21, 2016, Board staff mailed a Notice of Proposed Suspension to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.
6. Certificate Holder failed to respond to the Notice of Proposed Suspension within the required twenty (20) days. Consequently, Certificate Holder's opportunity to request a hearing has expired and she is in default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Ruth Whitaker, and over the subject matter of this proceeding.
2. That Certificate Holder's failure to cooperate with the Board during the course of an investigation is grounds for disciplinary action pursuant to ORS 678.442(2)(f), OAR 851-063-0080(6) and OAR 851-063-0090(10)(a) and (c).
3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Nursing Assistant Certificate of Ruth Whitaker is SUSPENDED

for a minimum of two weeks, commencing five business days from the date this Order is signed, and shall continue until such time as Ruth Whitaker has fully cooperated with the Board's investigation. Should the Board reinstate the Nursing Assistant Certificate of Ruth Whitaker, she would be subject to whatever terms and conditions the Board may impose.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: RUTH WHITAKER:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Jean Wilson, NP) **VOLUNTARY SURRENDER**
)
License No. 201407416NP-PP) **Reference No. 15-01086**
No. 201407415RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners. Jean Wilson (Licensee) was issued a Registered Nurse and Nurse Practitioner License by the Board on October 21, 2014.

On or about February 2, 2015, the Board received information that Licensee failed to properly establish a patient-provider relationship including a face to face evaluation, when prescribing compounded medications and diabetic supplies utilizing telemedicine, while working for Bronson Medical Corporation, a company she was recruited to work for, located outside of Oregon.

Licensee admitted that she did not complete an assessment or provide face to face patient care. Licensee admitted that she did not develop a treatment plan or coordinate care with current treatment providers. Licensee stated that her conversation with the client was documented, and teaching about the medication was provided.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(4)(b) and OAR 851-056-0016(2)(c)(i) which read as follows:

678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined. Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(4) Conduct related to achieving and maintaining clinical competency:

(b) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established.

OAR 851-056-0016 Conduct Derogatory to the Standards for Prescriptive or Dispensing Authority

(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:

(c) Prescribing, dispensing, or distributing drugs to an individual who is not the APRN's client unless written under Expedited Partner Therapy guidelines from the Department of Human Services; or under the Oregon Health Authority Programs to Treat Allergic Response OR Hypoglycemia and Opiate Overdose in ORS 433.800–433.830.

(i) Failure to properly assess and document client assessment when prescribing, dispensing, administering, or distributing drugs;

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender her Registered Nurse and Nurse Practitioner license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Registered Nurse and Nurse Practitioner license of Jean Wilson be accepted. If, after a minimum of three years, Ms. Wilson wishes to reinstate her Nurse Practitioner license, and/or her Registered Nurse license, she may submit an application to the Board to request reinstatement.

Licensee agrees that she will not practice as a Registered Nurse or Nurse Practitioner on the date she signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Jean Wilson, NP

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostecky, MS, MPA, RN
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Alex Woolner, LPN) **VOLUNTARY SURRENDER**
)
License No. 201030463LPN) **Reference No. 16-01390**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Alex Woolner (Licensee) was issued a Practical Nurse License by the Board on November 04, 2010.

On or about March 7, 2016, the Board received information alleging that Licensee violated professional boundaries with a patient and practiced out of scope. The Board opened an investigation into the matter.

Licensee was investigated by the Board for allegations of sexually abusing multiple female patients, violating professional boundaries, and additional violations of the Nurse Practice Act.

On April 15, 2016, Licensee was charged with 3 counts of Invasion of Privacy in the Second Degree- a Class A misdemeanor, 2 counts of Computer Crime- a Class A misdemeanor, 4 counts Sex Abuse in the Third Degree- a Class A misdemeanor, and 1 count of Criminal Mistreatment- a Class C felony. These charges related to his nursing care of female patients.

On May 13, 2016, Licensee was charged with 2 counts of Invasion of Privacy in the Second Degree- a Class A misdemeanor and 2 counts of Computer Crime- a Class A misdemeanor. These charges related to his nursing care of female patients.

Rather than pursue defense against the above allegations, Licensee wishes to cooperate with the Board in this matter and voluntarily surrender his Practical Nurse License. Licensee agrees to never reapply for nursing licensure in Oregon.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the voluntary surrender of the Practical Nurse License of Alex Woolner be accepted. Mr. Woolner will not be eligible for reinstatement of his Practical Nurse License.

Licensee agrees that he will not practice as a Licensed Practical Nurse from the date he signs this Order.

Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him to sign this Order.

Licensee understands that this Order is a document of public record.

Licensee has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Alex Woolner, LPN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date