

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Jennifer Abraham, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 200942108RN** ) **Reference No. 19-00855**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse License. Jennifer Abraham (Licensee) was issued a Registered Nurse License by the Board on July 28, 2009.

On or about December 27, 2018, the Board received information that Licensee failed to provide nursing oversight to the Licensed Practical Nurse (LPN) and unlicensed caregivers at the community where she was employed.

Licensee was hired by the Community as the Executive Director, but also agreed to provide nursing services as a dual role, while the community sought to hire a Registered Nurse.

Lack of communication and necessity of practicing as both Executive Director and Facility RN lead to a break down in oversight of patients.

By the above actions, Licensee is subject to discipline pursuant to ORS 676.111(1)(f)(g) and OAR 851-045-0070(2)(a), (3)(a)(b)(c)(e), (4)(a)(b) and (8) 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.

(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

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice.

Actual injury need not be established

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

- (a) Developing, modifying, or implementing policies that jeopardize client safety;
- (b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment;
- (c) Failing to develop, implement or modify the plan of care
- (e) Failing to clinically supervise persons to whom assignments has been made

(4) Conduct related to communication:

- (a) Failure to accurately document nursing interventions and nursing practice implementation
- (b) Failure to document nursing interventions and nursing practice implementation in a timely, accurate, thorough, and clear manner. This includes failing to document a late entry within a reasonable time period.

(8) Conduct related to other federal or state statute or rule violations

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 Jennifer Abraham 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 License.

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.

\_\_\_\_\_  
Jennifer Abraham, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Laurie Adams, RN**

)  
) **FINAL ORDER OF DENIAL OF**  
) **REGISTERED NURSE LICENSE**  
) **BY DEFAULT**  
)  
) **Reference No. 20-00001**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurses. Laurie Adams, (Applicant) applied for a Registered Nurse License in the state of Oregon on or about July 1, 2019.

This matter was considered by the Board at its meeting on December 18, 2019.

On September 16, 2019, a Notice stating that the Board intended to deny the application for Registered Nurse was sent to Applicant via certified and first-class mail to Applicant's address of record. The Notice alleged that Applicant failed to cooperate with the Board by not submitting a written statement regarding explanations of Applicant's substance abuse history and not responding to requests that Applicant schedule an interview with the Board.

The Notice granted Applicant an opportunity for hearing if requested within sixty (60) 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. On or about July 9, 2019, an interview letter was sent to Adams at her address of record with the Board requesting she submit a copy of her work history for the past ten years and give explanations describing the details regarding her disclosures on her application involving her use of alcohol and addressing her alcohol abuse treatment she received and to schedule an interview. No response was received.
2. On or about August 9, 2019, a second interview letter was sent to Adams at her address of record with the Board requesting she submit a copy of her work history for the past ten years and give explanations describing the details regarding her disclosures on her application

involving her use of alcohol and addressing her alcohol abuse treatment she received and to schedule an interview within 5 days. No response was received to the request.

3. On or about August 19, 2019, an email was sent to Adams with an attached copy of interview letters to her email address of record with the Board since no contact has been received from her. In the email, the Board requested that she contact the Board immediately regarding her application because she had not communicated with the Board. No contact has been received from Adams regarding her application and she has not provided any documents.

4. On September 11, 2019, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Registered Nurse.

5. On September 16, 2019, Board staff mailed a Notice of Proposed Denial of Registered Nurse to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) 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. On October 23, 2019, the Board received the mailed Notice of Proposed Denial of Registered Nursing License as returned mail via certified mail. The envelope was marked "Return to Sender-Not Deliverable As Addressed-Unclaimed."

## II CONCLUSIONS OF LAW

1. That the Board has jurisdiction over Applicant, Laurie Adams, and over the subject matter of this proceeding.

2. That Applicant's conduct is in violation of ORS 678.111 (1)(f)(g) and OAR 851-045-0070 (10)(a)(c) 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.

(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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

(a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege;

(c) Failing to provide the Board with any documents requested by the Board;

3. That Applicant defaulted on the Notice by not requesting a hearing within the allotted sixty (60) 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 Application for Registered Nurse is denied.

Dated this \_\_\_\_\_ day of December 2019

FOR THE OREGON STATE BOARD OF NURSING

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Barbara Turnipseed, RN  
Board President

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 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 60 days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Kendra Balderas, CNA** ) **PROBATION**  
)  
**Certificate No. 200712487CNA** ) **Reference No. 19-01409**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certificate Holders. Kendra Balderas (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on November 20, 2007.

On or about June 3, 2019, the Board received a report alleging that on or about May 13, 2019, CNA had failed to implement a plan of care developed by a nurse. An investigation was opened into the matter.

Records reviewed through the course of the Board's investigation show that in 2018 and 2019, CNA was disciplined by her employer for interacting with coworkers in an unprofessional manner and for using profanity in the presence of a patient. Additionally, the records show that CNA had not failed to implement a plan of care on May 13, 2019, and was instead following her employer's policy.

Through the course of the Board's investigation, Board staff learned that on or about January 6, 2019, CNA had been convicted (by plea agreement) of Driving Under the Influence of Intoxicants. CNA did not report the conviction to the Board within ten (10) days as required by law.

During an interview with Board staff on October 3, 2019, CNA was dishonest when stating that she had not driven intoxicated. Records show that on or about November 4, 2018, the police received a report that CNA was witnessed driving erratically. The witnesses followed CNA to her home and reported their concerns to police. The police arrived at CNA's home and advised CNA of the report they received. A field sobriety test was conducted and CNA failed which led to her arrest.

Records show that on or about January 6, 2019, CNA pleaded guilty to Driving Under the Influence of Intoxicants and was allowed entry into the courts diversion program, typically reserved for first time Driving Under the Influence of Intoxicants offenders. Records show that CNA has remained compliant with all court ordered requirements.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-1063-0090(7)(c), (8)(h)(o), (10)(b) which reads 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:

(7) Conduct related to safe performance of authorized duties:

(c) Using a prescription or non-prescription drug, alcohol, or a mind-altering substance to an extent or in a manner dangerous or injurious to the nursing assistant or others, or to an extent that such use impairs the ability to perform the authorized duties safely.

(8) Conduct related to other federal or state statutes/rule violations:

(h) Engaging in other unacceptable behavior towards or in the presence of the client. Such behavior includes but is not limited to using derogatory names, derogatory or threatening gestures, or profane language;

(o) Failure to report to the Board the CNA's conviction of a misdemeanor or a felony crime within ten days of the conviction.

(10) Conduct related to the certification holder's relationship with the Board:

(b) Failing to answer truthfully and completely any question asked by the Board on an application for certification, renewal of certification, during the course of an investigation, or any other question asked by the Board;

CNA admits that the above allegations occurred and constitute violations of the Nurse Practice Act. CNA 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 CNA:

That the Certified Nursing Assistant certificate of Kendra Balderas be placed on Probation. The Certificate Holder's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Certificate Holder must complete a twenty-four (24) month period of probation to begin upon Certificate Holder's return to performing the duties at the level of a Certified Nursing Assistant. Certificate Holder must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Certificate Holder is able to exercise the full extent of scope of duties in order to demonstrate whether or not Certificate Holder is competent. Limited overtime may be approved on occasion.

Certificate Holder shall comply with the following terms and conditions of probation:

- 1) Certificate Holder shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
- 2) Certificate Holder shall have thirty-six (36) months from Board's acceptance of this Stipulated Order to complete twenty-four (24) months of monitored practice.
- 3) Certificate Holder shall notify Board staff, in writing, prior to any change of address or employment setting during the probation period.
- 4) Certificate Holder shall maintain an active certificate.
- 5) Certificate Holder shall complete the following course: *Effective Communication* **within sixty (60)** days of the Board's acceptance of this stipulation. All courses shall be pre-approved by Board staff, and Certificate Holder shall provide proof of completion of the course either through certificates of completion or transcripts. Should Certificate Holder fail to complete these courses within the required time of sixty (60) days, Certificate Holder shall be referred back to the Board for consideration of further disciplinary action.
- 6) Certificate Holder shall inform Board staff in advance of any absences from Oregon and/or any move from Oregon to another licensing jurisdiction. If Certificate Holder leaves the state and is unable to work in the state of Oregon, Certificate Holder's probationary status will be re-evaluated.
- 7) Certificate Holder 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.
- 8) Certificate Holder 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.
- 9) Certificate Holder will not look for, accept, or begin a new nursing assistant position without prior approval of the Board. This includes changes of the employer itself or changes within the facility or institution.
- 10) Certificate Holder shall inform current and prospective employers of the probationary status of Certificate Holder's certification, the reasons for probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Certificate Holder's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Certificate Holder is employed.
- 11) Certificate Holder shall work under the direct observation of another licensed healthcare professional, functioning at a higher level of licensure who is aware that the individual is on

probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Certificate Holder's work and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Certificate Holder shall be employed in a setting where Certificate Holder's 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, Certificate Holder may be restricted from performing the duties of a nursing assistant.

12) Between quarterly reporting periods, the Nurse Executive or a person designated by Certificate Holder's employer shall inform Board staff of any instance of Certificate Holder's non-compliance with the terms and conditions of this Stipulated Order or of any other concern there may be regarding Certificate Holder's work-related conduct or personal behavior that may affect Certificate Holder's ability to perform the duties of a nursing assistant.

13) Certificate Holder shall notify Board staff when there is a change in status of employment, including resignations and terminations.

14) Certificate Holder shall not work in any work setting when on-site monitoring 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.

15) Certificate Holder shall not be approved for enrollment in clinical practicum hours for the purpose of obtaining an additional degree or license.

16) Certificate Holder shall cease practicing as a nurse if there are concerns about Certificate Holder's ability to practice safely or at the request of Board staff. Practice may resume when approved by the Board staff, in consultation with Certificate Holder's employer.

17) Certificate Holder shall cooperate fully with the Board in the supervision and investigation of Certificate Holder's compliance with the terms and conditions of this Stipulated Order.

Certificate Holder 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.

Certificate Holder understands that in the event Certificate Holder engages in future conduct resulting in violations of the terms of this Stipulated Order and/or the Nurse Practice Act, the Board may take further disciplinary action against Certificate Holder's certificate, up to and including revocation of Certificate Holder's certification to perform the duties of a Certificate Holder.

Certificate Holder understands that this Stipulated 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, Certificate Holder waives the right to an administrative hearing under ORS 183.310 to 183.540. Certificate Holder acknowledges that no promises, representations, duress or coercion have been used to induce Certificate Holder to sign this Stipulated Order.

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

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

IT IS SO AGREED:

\_\_\_\_\_  
Kendra Balderas, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Jill Cates, RN** ) **PROBATION**  
)  
**License No. 201341790RN** ) **Reference No. 20-00290**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jill Cates (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on June 21, 2013.

On or about September 19, 2019, Licensee submitted a renewal application on which she disclosed that she received two DUIIs: one in 2018 and another in 2019. Licensee underwent an evaluation and received a diagnosis which meets the Board's criteria for monitoring.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(a)(e)(f) and OAR 851-045-0070(7)(c) 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:

(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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

**(7) Conduct related to impaired function:**

(c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, 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 of nursing.

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:

That the Registered Nurse license of Jill Cates be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a twenty-four (24) month period of probation to begin upon Licensee's return to supervised nursing practice at the level of a Registered Nurse. Licensee must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Licensee is able to exercise the full extent of scope of duties in order to demonstrate whether or not Licensee is competent. Limited overtime may be approved on occasion.

Licensee must 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 thirty-six (36) months from Board's acceptance of this Order to complete twenty-four (24) 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 Board staff. This includes changes of the employer itself or changes within the facility or institution.
- 9) Licensee shall inform current and prospective employers of the probationary status of Licensee's license, the reasons for Licensee's probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for

Probation when Licensee is employed.

10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Licensee's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. 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 Stipulated Order or of any other concern there may be 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 monitoring 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 not be a nursing faculty member or an advance practice preceptor.

15) Licensee shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.

16) Licensee shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. 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.

17) Licensee shall participate in the Board's random urine drug testing program. Failure to comply with random urine or any other requested drug test shall result in Licensee's immediate removal from nursing practice. Licensee shall submit to observed tests to determine the presence of unauthorized substances immediately upon request by Board staff or

Licensee's 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 Stipulated Order. Upon request of Board staff, Licensee shall obtain an evaluation by a Board approved chemical abuse or dependence evaluator. Licensee understands that Licensee is financially responsible for any and all costs related to testing and evaluating. Licensee's failure to maintain an account in good standing with the Board's laboratory vendor shall be considered a violation of this Stipulated Order.

18) Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while participating in the Board's random urine drug testing program, except as provided in **Section 19** below. Licensee shall avoid any over-the-counter products and food items containing alcohol, marijuana and poppy seeds.

19) Licensee may take medication for a documented medical condition, provided that Licensee obtains such medication only by a legal prescription written by a person authorized by law to write such a prescription. Licensee will notify Board staff within 72 hours in the event Licensee is prescribed such medication, and shall sign a release of information authorizing the prescribing person to communicate with Board staff about Licensee's medical condition. Licensee shall produce the medical records pertaining to the medical condition and medication use. Licensee will discard any unused prescription medications when it is no longer needed or expired.

20) 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.

21) Licensee shall notify any and all healthcare providers of the nature of Licensee's chemical dependency to ensure that Licensee's health history is complete before receiving any treatment, including medical and dental. 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 Stipulated Order.

22) 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.

23) Licensee shall cooperate fully with Board staff in the supervision and investigation of Licensee's compliance with the terms and conditions of this Stipulated Order.

Licensee 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.

Licensee understands that in the event Licensee engages in future conduct resulting in violations the terms of this Stipulated Order and/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 Stipulated 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 Stipulated Order.

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

IT IS SO AGREED:

\_\_\_\_\_  
Jill Cates, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Jennifer Chase, RN** ) **VOLUNTARY SURRENDER**  
 )  
**License No. 200241907RN** ) **Reference No. 18-01448**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jennifer Chase (Licensee) was issued a Registered Nurse License/Certificate by the Board on July 22, 2002.

On or about March 19, 2018, the Board received information that Licensee allegedly failed to provide safety checks then falsified patient records while providing nursing care and monitoring to patients under mental health specialty care.

The Licensee is not currently working as a nurse and is on an indefinite medical hold due to extensive medical treatment for a potential terminal illness. Licensee has chosen voluntary surrender of her Registered Nurse License.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111 (1)(f) and OAR 851-045-0070 (2)(a)(3)(b)(4)(a)(c)(A)(B)**, 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 license may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to 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.** Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
  - (3) Conduct related to the client's safety and integrity:
    - (b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment;
    - (4) Conduct related to communication:
      - (a) Failure to accurately document nursing interventions and nursing practice implementation;

(c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:

- (A) Documenting nursing practice implementation that did not occur;
- (B) Documenting the provision of services that were not provided;

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender their 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 Jennifer Chase be accepted. If, after a minimum of three years, Ms. Chase wishes to reinstate her Registered Nurse license, Jennifer Chase may submit an application to the Board to request reinstatement.**

Licensee agrees that they will not practice as a Registered Nurse from the date the Order is signed. 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, **Jennifer Chase** 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 the signing of 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.

\_\_\_\_\_  
Jennifer Chase, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Corey Coffman, CNA** ) **OF NURSING ASSISTANT**  
 ) **CERTIFICATE BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
**Certificate No. 201706719CNA** ) **Reference No. 20-00362**

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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. Corey Coffman (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on August 18, 2017.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 12, 2019, a Notice stating that the Board intended to suspend the Nursing Assistant Certificate of Certificate Holder was sent to the address of record via certified and first-class mail. The Notice alleged that Corey Coffman 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 August 18, 2017.
2. On or about October 11, 2019, Certificate Holder was reported to the Board for leaving a nursing assistant assignment without properly notifying appropriate supervisory personnel. The Board opened an investigation into the matter.
3. On October 16, 2019, Board staff mailed a letter to Certificate Holders' address of record requesting that an interview be scheduled to discuss the allegations. Certificate Holder was further instructed to send a written statement regarding the allegations and

a current work history. Certificate Holder scheduled an interview but did not provide any documents to the Board.

4. On November 8, 2019, Certificate Holder failed to participate in the previously scheduled interview with Board staff or provide documents.
5. On November 12, 2019, 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 resulting in default.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Corey Coffman, 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) and OAR 851-063-0090(10)(a) and (c), which read as follows:

**ORS 678.442(2)(f) 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(10)(a)(c) 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:

(10) Conduct related to the certificate holder's relationship with the Board:

(a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.

(c) Failing to provide the Board with any documents requested by the Board; or

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 Corey Coffman 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 Corey Coffman has fully cooperated with the Board's investigation. Should the Board reinstate the Nursing Assistant Certificate of Corey Coffman, the Certificate Holder would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO: COREY COFFMAN:

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  
David Dam**

)  
) **FINAL ORDER OF DENIAL**  
) **OF NURSING ASSISTANT**  
) **CERTIFICATE BY DEFAULT**  
)  
) **Reference No. 19-01488**

**Certificate No. 201113082CNA**

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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 Nursing Assistant certificate reactivation applicants. David Dam (Applicant) was issued a Nursing Assistant certificate in December 2011 which expired in November 2018. Applicant applied for Nursing Assistant certificate reactivation in April 2019.

The Board considered this matter at its meeting on December 18, 2019.

On September 16, 2019, a Notice stating that the Board intended to deny the application for a Nursing Assistant Certificate was sent to Applicant via certified and first-class mail to Applicant's address of record. The Notice alleged Applicant failed to answer truthfully and completely disclosure questions pertaining to arrest and health history asked by the Board on an application for Nursing Assistant certificate reactivation.

The Notice granted Applicant an opportunity for hearing if requested within sixty (60) 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. Applicant applied for Nursing Assistant certificate reactivation in April 2019.
2. In April 2019, Applicant failed to answer truthfully and completely disclosure questions pertaining to arrest and health history asked by the Board on an application for Nursing Assistant certificate reactivation.
3. On September 11, 2019, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Nursing Assistant Certificate.

4. On September 16, 2019, Board staff mailed a Notice of Proposed Denial of Nursing Assistant Certificate to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) 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 Applicant, David Dam, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of 678.442(2)(b)(d) and OAR 851-063-0090(10)(b) which provide 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:*

- (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.*

***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:*

- (10) Conduct related to the certification holder's relationship with the Board:*
- (b) Failing to answer truthfully and completely any question asked by the Board on an application for certification, renewal of certification, during the course of an investigation, or any other question asked by the Board*

3. That Applicant defaulted on the Notice by not requesting a hearing within the allotted sixty (60) 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 Application for a Nursing Assistant Certificate is denied.

Dated this \_\_\_\_\_ day of December 2019

FOR THE OREGON STATE BOARD OF NURSING

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Barbara Turnipseed, RN  
Board President

TO DAVID DAM:

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 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 60 days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

SIGNATURES & DATED COPY ON FILE WITH BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of**

**Michael Degner, CNA**

)

) **FINAL ORDER OF REVOCATION**

) **BY DEFAULT**

)

)

**Certificate No. 201391281CNA**

) **Reference No. 17-01193**

---

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. Michael Degner (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on August 01, 2013.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 21, 2019, a Notice stating that the Board intended to Revoke the Nursing Assistant Certificate of Michael Degner was sent to Certificate Holder via certified and first-class mail to the address of record.

The Notice alleged that Certificate Holder was investigated by DHS for neglecting a resident while working as a Nursing Assistant. The Notice also alleged that a review of additional employee HR files from 3 other employers revealed a pattern of neglecting residents and failing to respect resident's dignity and rights.

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 August 01, 2013.
2. While working at Facility A on or about February 9, 2016, Certificate Holder neglected a resident when he failed to provide timely toileting and showering.

3. On May 22, 2016, while working at Facility A, Certificate Holder failed to respect the dignity and rights of a patient when he stuck his tongue out at a resident, made a rude gesture at her using his middle finger and when delivering a disposable brief to her, threw it at her instead of handing it to her.
4. Between October 2013 and February 2014, while working at Facility B, Certificate Holder failed to follow residents' care plans for toileting needs after meals, constituting neglect.
5. On or around October 4, 2014, while working at Facility B, a resident's family complained to management that Certificate Holder was repeatedly rough with the resident during transfers, including holding the resident so tightly she yelled out in pain.
6. On or about July 9, 2015, while working at Facility C, Certificate Holder received written discipline for engaging in unacceptable behavior when he told a resident, "Boy, do you stink".
7. On or about July 15, 2015, while working at Facility C, Certificate Holder told a resident that he did not like to feed him. The resident reported to management that Certificate Holder made him feel uncomfortable and requested Certificate Holder not be assigned to him. The family member reported Certificate Holder turned and walked away when they were speaking with him.
8. On April 17, 2017, while working at Facility D, Certificate Holder was written up for abandoning the hall he was assigned to cover. Certificate Holder's hall partner was on break and Certificate Holder was responsible for the residents. Certificate Holder left the hall to go outside and smoke. During this time a resident, who was a fall risk, fell out of bed.
9. On August 13, 2018, while working at Facility D, Certificate Holder made a degrading, offensive and inappropriate comment to a resident after taking an hour to answer the resident's call light.
10. On January 4, 2019, while working at Facility D, Certificate Holder was witnessed yelling and swearing at a resident when the resident exited his room and yelled Certificate Holder's name down the hallway in an attempt to get his attention.
11. On November 21, 2019, 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, Michael Degner, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(f) and OAR 851-063-0090(1)(a), (2)(a), (3)(a)(b)(d)(g), (5)(a)(e) and (8)(d)(e)(h) 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:

(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 851-063-0090 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, regardless of setting, related to general fitness to perform nursing assistant authorized duties:**

(a) Demonstrated incidents of violent, abusive, neglectful or reckless behavior.

**(2) Conduct related to achieving and maintaining clinical competency:**

(a) Failing to conform to the essential standards of acceptable and prevailing nursing assistant performance of duties. Actual injury need not be established.

**(3) Conduct related to client safety and integrity:**

(a) Failing to take action to preserve or promote a person's safety based on nursing assistant knowledge, skills, and abilities;

(b) Failing to implement the plan of care developed by the registered nurse;

(d) Jeopardizing the safety of a person under the CNA's care;

(g) Failing to respect the dignity and rights of the person receiving nursing services, regardless of social or economic status, age, race, religion, sex, sexual orientation, national origin, nature of health needs, other physical attributes, or disability;

**(5) Conduct related to interactions with the client's family:**

(a) Failing to respect the person's family and the person's relationship with their family;

(e) Engaging in unacceptable behavior towards or in the presence of the client's family.

Such behavior includes but is not limited to using derogatory names, derogatory or threatening gestures, or profane language.

**(8) Conduct related to other federal or state statutes/rule violations:**

(d) Abusing a person;

(e) Neglecting a person;

(h) Engaging in other unacceptable behavior towards or in the presence of the client.

Such behavior includes but is not limited to using derogatory names, derogatory or threatening gestures, or profane language.

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 Michael Degner is REVOKED.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO: MICHAEL DEGNER:

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**  
**Charles Fike, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 095000312RN** ) **Reference No. 19-00954**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Charles Fike (Licensee) was issued a Registered Nurse License by the Board on September 28, 1995.

On or about February 1, 2019, the Board received information that alleged Licensee had failed to complete the delegation process to unlicensed personnel and failed to collaborate in the development, implementation and evaluation of integrated plans of care.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(d)(h)(4)(a)(c)(A)(B)(C)(f)**.

**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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

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

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

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

(c) Failing to develop, implement or modify the plan of care;

(d) Assigning persons to perform functions for which they are not prepared to perform or that are beyond their scope of practice, authorized duties, or job functions;

- (h) Failing to clinically supervise a UAP to whom a nursing procedure has been delegated.
- (4) Conduct related to communication:
  - (a) Failure to accurately document nursing interventions and nursing practice implementation;
  - (c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
    - (A) Documenting nursing practice that did not occur;
    - (B) Documenting the provision of services that were not provided;
    - (C) Failing to document information pertinent to a client's care;
  - (f) Failing to communicate information regarding the client's status to members of the health care team in an ongoing and timely manner as appropriate to the context of care.

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 Charles Fike be reprimanded.**

Licensee understands that the alleged 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 License.

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.

\_\_\_\_\_  
Charles Fike, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Constance Hagemeyer, RN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 201601266RN** ) **Reference No. 19-01209**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Constance Hagemeyer (Licensee) was issued a Registered Nurse License/Certificate by the Board on February 24, 2016.

On or about April 5, 2018, the Board received information that Licensee failed to meet the narcotic administration standards for accountability while using an electronic software medication dispensing system.

Licensee is now retired and not currently working as a Registered Nurse in Oregon. The Licensee has chosen voluntarily surrender of her Registered Nurse license.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111 (1) (f) and OAR 851-045-0070 (2) (a)**, 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 license may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to 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.**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender their 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 Constance Hagemeyer be accepted. If, after a minimum of three years, Ms. Hagemeyer wishes to reinstate her Registered Nurse license, Constance Hagemeyer may submit an application to the Board to request reinstatement.**

Licensee agrees that they will not practice as a Registered Nurse from the date the Order is signed.

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, **Constance Hagemeyer** 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 the signing of 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.

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Constance Hagemeyer, RN

---

Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

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Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Sandi Hildebrand, CNA** ) **VOLUNTARY SURRENDER**  
)  
**Certificate No. 201113314CNA** ) **Reference No. 20-00490**

---

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. Sandi Hildebrand (CNA) was issued a Nursing Assistant certificate by the Board on December 29, 2011.

On or about November 12, 2019, CNA was impaired by alcohol at work.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(d)(f) and OAR 851-063-0090(7)(b)(c) which provide 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:

- (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 851-063-0090 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:

- (7) Conduct related to safe performance of authorized duties:
  - (b) Performing authorized duties when physical or mental ability to perform is impaired by use of a prescription or non-prescription drug, alcohol, or a mind-altering substance; or
  - (c) Using a prescription or non-prescription drug, alcohol, or a mind-altering substance to an extent or in a manner dangerous or injurious to the nursing assistant or others, or to an extent that such use impairs the ability to perform the authorized duties safely.

CNA wishes to cooperate with the Board in this matter and voluntarily surrender their Nursing Assistant certificate. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CNA:

**That the voluntary surrender of the Nursing Assistant certificate of Sandi Hildebrand be accepted. If, after a minimum of three years, CNA wishes to reinstate their Nursing Assistant certificate, they may submit an application to the Board to request**

**reinstatement.**

CNA agrees that they will not practice as a Certified Nursing Assistant from the date the Order is signed.

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

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

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

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

\_\_\_\_\_  
Sandi Hildebrand, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Maranda Ingram, CNA** ) **OF NURSING ASSISTANT**  
 ) **CERTIFICATE BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
 )  
**Certificate No. 201807864CNA** ) **Reference No. 20-00300**

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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. Maranda Ingram (CNA) was issued a Nursing Assistant certificate by the Board on September 14, 2018.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 19, 2019, a Notice stating that the Board intended to suspend the Nursing Assistant certificate of CNA was sent to the address of record via certified and first-class mail. The Notice alleged that Maranda Ingram failed to cooperate with the Board during the course of an investigation.

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 September 14, 2018.
2. On or about September 26, 2019, CNA was reported to the Board for alleged verbal abuse of a resident. The Board opened an investigation into the matter.
3. On September 27, 2019, Board staff mailed a letter to CNA's address of record

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

4. On October 15, 2019, a second letter was sent to CNA's address of record, requesting that the Board be contacted within five (5) business days to schedule an interview to discuss the allegations. CNA was also asked to provide a current work history and a written statement regarding the allegations. CNA failed to schedule an interview and did not provide any documents to the Board.
5. On November 19, 2019, Board staff mailed a Notice of Proposed Suspension 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.
6. CNA failed to respond to the Notice of Proposed Suspension within the required twenty (20) days. Consequently, CNA's opportunity to request a hearing has expired resulting in default.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the CNA, Maranda Ingram, and over the subject matter of this proceeding.
2. That CNA's failure to cooperate with the Board during the course of an investigation is grounds for disciplinary action pursuant to ORS 678.442(2)(d)(f) and OAR 851-063-0090(10)(a)(c) 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:

- (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 851-063-0090 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:

- (10) Conduct related to the certificate holder's relationship with the Board:

- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.
- (c) Failing to provide the Board with any documents requested by the Board;
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 Maranda Ingram 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 Maranda Ingram has fully cooperated with the Board's investigation. Should the Board reinstate the Nursing Assistant certificate of Maranda Ingram, the CNA would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

---

Barbara Turnipseed, RN  
Board President

TO MARANDA INGRAM:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Stephanie Lautenbach, RN** ) **PROBATION**  
)  
**License No. 099000569RN** ) **Reference No. 20-00304**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Stephanie Lautenbach (Licensee) was issued a Registered Nurse License/Certificate by the Oregon State Board of Nursing on July 21, 1999.

On or about September 20, 2019, the Board received information that Licensee exhibited signs of impairment in the workplace on June 21, 2019. Licensee underwent a drug test which was positive for an illegal controlled substance.

Licensee has since undergone treatment for a substance use disorder and meets the criteria for returning to monitored practice.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(e)(f) and OAR 851-045-0070 (2)(a), (7)(b)(c) and (8)(k) 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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

**(2) Conduct related to achieving and maintaining clinical competency:**

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

**(7) Conduct related to impaired function:**

(b) Practicing nursing when physical or mental ability to practice is impaired by use of a prescription or non-prescription medication, alcohol, or a mind-altering substance; or

(c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, 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 of nursing;

**(8) Conduct related to other federal or state statute or rule violations:**

(k) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled medications to any person, including self, except as directed by a person authorized by law to prescribe medications[.]

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:

**That the Registered Nurse license of Stephanie Lautenbach be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a twenty-four (24) month period of probation to begin upon Licensee's return to supervised nursing practice at the level of a Registered Nurse. Licensee must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Licensee is able to exercise the full extent of scope of duties in order to demonstrate whether or not Licensee is competent. Limited overtime may be approved on occasion.**

Licensee must 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 thirty-six (36) months from Board's acceptance of this Order to complete twenty-four (24) 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

Board staff. This includes changes of the employer itself or changes within the facility or institution.

9) Licensee shall inform current and prospective employers of the probationary status of Licensee's license, the reasons for Licensee's probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Licensee is employed.

10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Licensee's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. 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 Stipulated Order or of any other concern there may be 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 have access to narcotics or controlled substances, carry the keys to narcotics storage, or administer narcotics at any time or under any circumstances or until Licensee receives written approval from Board staff.

14) Licensee shall not work in any practice setting when on-site monitoring 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.

15) Licensee shall not be a nursing faculty member or an advance practice preceptor.

16) Licensee shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.

17) Licensee shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. 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.

18) Licensee shall participate in the Board's random urine drug testing program. Failure to comply with random urine or any other requested drug test shall result in Licensee's immediate removal from nursing practice. Licensee shall submit to observed tests to determine the presence of unauthorized substances immediately upon request by Board staff or Licensee's 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 Stipulated Order. Upon request of Board staff, Licensee shall obtain an evaluation by a Board approved chemical abuse or dependence evaluator. Licensee understands that Licensee is financially responsible for any and all costs related to testing and evaluating. Licensee's failure to maintain an account in good standing with the Board's laboratory vendor shall be considered a violation of this Stipulated Order.

19) Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while participating in the Board's random urine drug testing program, except as provided in **Section 20** below. Licensee shall avoid any over-the-counter products and food items containing alcohol, marijuana and poppy seeds.

20) Licensee may take medication for a documented medical condition, provided that Licensee obtains such medication only by a legal prescription written by a person authorized by law to write such a prescription. Licensee will notify Board staff within 72 hours in the event Licensee is prescribed such medication, and shall sign a release of information authorizing the prescribing person to communicate with Board staff about Licensee's medical condition. Licensee shall produce the medical records pertaining to the medical condition and medication use. Licensee will discard any unused prescription medications when it is no longer needed or expired.

21) 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.

22) Licensee shall notify any and all healthcare providers of the nature of Licensee's chemical dependency to ensure that Licensee's health history is complete before receiving any treatment, including medical and dental. 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 Stipulated Order.

23) 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.

24) Licensee shall cooperate fully with Board staff in the supervision and investigation of Licensee's compliance with the terms and conditions of this Stipulated Order.

Licensee 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.

Licensee understands that in the event Licensee engages in future conduct resulting in violations the terms of this Stipulated Order and/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 Stipulated 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 Stipulated Order.

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

IT IS SO AGREED:

\_\_\_\_\_  
Stephanie Lautenbach, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of**

**Duane Leichtamer, RN**

)

) **FINAL ORDER OF REVOCATION**

) **BY DEFAULT**

)

)

**License No. 200442133RN**

) **Reference No. 19-00258**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Duane Leichtamer (Licensee) was issued a Registered Nurse license by the Board on November 02, 2004.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 19, 2019, a Notice stating that the Board intended to Revoke the Registered Nurse license of Duane Leichtamer was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee intentionally caused a vehicle collision, was convicted of crimes that they failed to report to the Board, engaged in unacceptable behavior in the presence of patients, and failed to fully 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 02, 2004.
2. On or about August 17, 2018, Licensee intentionally drove their vehicle in a manner that caused a collision with a motorcycle resulting in serious injury to the motorcycle operator and Licensee being arrested.

3. On or about July 30, 2019, Licensee was convicted of reckless driving and reckless endangerment.
4. Licensee failed to report the above-mentioned criminal convictions to the Board within 10 days.
5. On multiple occasions in 2018, Licensee engaged in unacceptable behavior towards or in the presence of a client and violent, abusive, or threatening behavior that relates to the delivery of safe nursing services including slamming equipment, being physically rough with patients, being verbally inappropriate, and wasting liquid narcotic medication by squirting it on the ceiling.
6. On October 11, 2018, Licensee provided Board staff a written response to an inquiry into some of the above-mentioned incidents in this Notice. On January 17, 2019, Board staff asked Licensee questions regarding some of the above-mentioned incidents in this Notice during an in-person interview. On September 23, 2019, Board staff asked Licensee questions regarding some of the above-mentioned incidents in this Notice during a telephonic interview. On October 07, 2019, Licensee provided Board staff a written response to an inquiry into some of the above-mentioned incidents in this Notice. On all four of the above-mentioned dates in this paragraph, Licensee failed to answer truthfully and completely.
7. On September 23, 2019, Board staff mailed and emailed Licensee a request that they sign a full release of information with certain medical providers and have those providers send Board staff certain medical records; however, Licensee failed to have Board staff provided the requested records.
8. On November 19, 2019, 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, Duane Leichtamer, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(a)(f)(g) and OAR 851-045-0070(1)(a), (2)(a), (6)(b), (8)(h)(w), (10)(a)(b)(c) 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:

- (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.
- (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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

- (1) Conduct related to general fitness to practice nursing:
  - (a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior;
- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
- (6) Conduct related to co-workers and health care team members:
  - (b) Engaging in violent, abusive, or threatening behavior that relates to the delivery of safe nursing services.
- (8) Conduct related to other federal or state statute or rule violations:
  - (h) Engaging in other unacceptable behavior towards or in the presence of a client. Such conduct includes but is not limited to using derogatory names, derogatory gestures or profane language;
  - (w) Failure to report to the Board the licensee's conviction of a misdemeanor or a felony crime within 10 days of the conviction.
- (10) Conduct related to the licensee's relationship with the Board:
  - (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege;
  - (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;
  - (c) Failing to provide the Board with any documents requested by the Board;

- 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 Duane

Leichtamer is REVOKED.

DATED this \_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

---

Barbara Turnipseed, RN  
Board President

TO DUANE LEICHTAMER:

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**  
**Frances Mallory, RN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 201901428RN** ) **Reference No. 20-00129**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Frances Mallory (Licensee) was issued a Registered Nurse License by the Board on February 21, 2019.

On or about August 6, 2019, the Board received information that Licensee had allegedly failed to see scheduled patients and falsified chart documentation while employed as a Home Health nurse. Licensee misrepresented the facts to her employer and the Board during the course of an investigation.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111 (1)(f) and OAR 851-045-0070 (1)(a)(b)(2)(a)(3)(b)(c)(i)(4)(a)(b)(c)(A)(B)(C)(E)(f)(g)(8)(e)(10)(b).**

**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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

- (1) Conduct related to general fitness to practice nursing:
  - (a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior; or
  - (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established.
- (3) Conduct related to the client's safety and integrity:
  - (b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment;

- (c) Failing to develop, implement or modify the plan of care;
- (i) Leaving or failing to complete any nursing assignment, including a supervisory assignment, without notifying the appropriate personnel and confirming that nursing assignment responsibilities will be met.
- (4) Conduct related to communication:
- (a) Failure to accurately document nursing interventions and nursing practice implementation;
- (b) Failure to document nursing interventions and nursing practice implementation in a timely, accurate, thorough, and clear manner. This includes failing to document a late entry within a reasonable time period;
- (c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
- (A) Documenting nursing practice implementation that did not occur;
- (B) Documenting the provision of services that were not provided;
- (C) Failing to document information pertinent to a client's care;
- (E) Falsifying data;
- (f) Failing to communicate information regarding the client's status to members of the health care team in an ongoing and timely manner as appropriate to the context of care; or
- (g) Failing to communicate information regarding the client's status to other individuals who are authorized to receive information and have a need to know.
- (8) Conduct related to other federal or state statute or rule violations:
- (e) Neglecting a client.
- (10) 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 voluntarily surrender their 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 Frances Mallory be accepted. If, after a minimum of three years, Ms. Mallory wishes to reinstate their Registered Nurse license, Frances Mallory may submit an application to the Board to request reinstatement.**

Licensee agrees that they will not practice as a Registered Nurse from the date the Order is signed.

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, **Frances Mallory** 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 the signing of 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.

\_\_\_\_\_  
Frances Mallory, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY OF FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Danielle McKenna, LPN** ) **BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
 )  
**License No. 201502653LPN** ) **Reference No. 20-00443**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Practical Nurses. Danielle McKenna (Licensee) was issued a Practical Nurse License by the Board on May 5, 2015.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 20, 2019, a Notice stating that the Board intended to suspend the Practical Nurse License of Licensee was sent via certified and first-class mail to Licensee's address of record. The Notice alleged that Danielle McKenna 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 Practical Nurse License in the state of Oregon on May 5, 2015.
2. On or about November 4, 2019, Licensee was reported to the Board on allegations she was impaired at work, diverted narcotics and refused a for-cause drug screen. The Board opened an investigation into the matter.
3. On November 5, 2019, 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 November 20, 2019, 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 November 27, 2019, 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 is in default.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Danielle McKenna, 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), OAR 851-045-0070(10)(a) and (c), 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, or 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.**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

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

(a) Failing to fully cooperate with the Board during the course of an investigation,

including but not limited to, waiver of confidentiality privileges, except client-attorney privilege.

(c) Failing to provide the Board with any documents requested by the Board.

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 Danielle McKenna 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 Danielle McKenna has fully cooperated with the Board's investigation. Should the Board reinstate the Practical Nurse License of Danielle McKenna, Licensee would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

TO: DANIELLE MCKENNA:

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**  
**Terence Mitchell** ) **PROBATION**  
)  
**License No. 200040267RN** ) **Reference No. 20-00365**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Terence Mitchell (Applicant) was issued a Registered Nurse license by the Board on July 6, 2000.

On multiple occasions in 2014 and 2015, Applicant diverted controlled substances from work which they subsequently abused after altering medication logs to conceal the diversion. As a result, Applicant's Registered Nurse license was voluntarily surrendered on April 13, 2016. In August 2019, Applicant submitted a Registered Nurse license reinstatement application on which they disclosed the above-mentioned information. Upon review with Board staff of treatment records, recent chemical dependency evaluations, and other relevant documents, Applicant agrees that a period of probation is appropriate.

By the above actions, Applicant is subject to discipline pursuant to ORS 678.111(1)(d)(f)(g) and the former version of OAR 851-045-0070(2)(f)(i)(n), (3)(d), (5)(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:
  - (d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice.
  - (f) Conduct derogatory to the standards of nursing.
  - (g) Violation of any provision of ORS 678.010 to 678.445 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:

- (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.

- (i) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.
- (n) Unauthorized removal of client records, client information, facility property, policies or written standards from the work place;
- (3) Conduct related to communication:
- (d) Altering a client or agency record or records prepared for an accrediting or credentialing entity; including, but not limited to, changing words/letters/numbers from the original document to mislead the reader of the record, adding to the record after the original time/date without indicating a late entry
- (5) Conduct related to impaired function:
- (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 admits that the above allegations occurred and constitute violations of the Nurse Practice Act. Applicant 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 Applicant:

That the Registered Nurse license of Terence Mitchell be placed on Probation. The Applicant's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of the license being reinstated. Applicant must complete a twenty-four (24) month period of probation to begin upon Applicant's return to supervised nursing practice at the level of a Registered Nurse. Applicant must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Applicant is able to exercise the full extent of scope of duties in order to demonstrate whether or not Applicant is competent. Limited overtime may be approved on occasion.

Applicant must comply with the following terms and conditions of probation:

- 1) Applicant shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
- 2) Applicant shall have thirty-six (36) months from Board's acceptance of this Order to complete twenty-four (24) months of monitored practice.
- 3) Applicant shall notify Board staff, in writing, prior to any change of address or employment setting during the probation period.
- 4) Applicant shall maintain an active license.
- 5) Applicant shall inform Board staff in advance of any absences from Oregon and/or any move from Oregon to another licensing jurisdiction. If Applicant leaves the state and is unable to practice in the state of Oregon, Applicant's probationary status will be re-evaluated.

6) Applicant 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) Applicant 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) Applicant will not look for, accept, or begin a new nursing position without prior approval of Board staff. This includes changes of the employer itself or changes within the facility or institution.

9) Applicant shall inform current and prospective employers of the probationary status of Applicant's license, the reasons for Applicant's probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Applicant's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Applicant is employed.

10) Applicant shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Applicant's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Applicant shall be employed in a setting where Applicant'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, Applicant may be restricted from practicing as a nurse.

11) Between quarterly reporting periods, the Nurse Executive or a person designated by Applicant's employer, shall inform Board staff of any instance of Applicant's non-compliance with the terms and conditions of this Stipulated Order or of any other concern there may be regarding Applicant's work-related conduct or personal behavior that may affect Applicant's ability to perform the duties of a nurse.

12) Applicant shall notify Board staff when there is a change in status of employment, including resignations and terminations.

13) Applicant shall not have access to narcotics or controlled substances, carry the keys to narcotics storage, or administer narcotics at any time or under any circumstances or until Applicant receives written approval from Board staff.

14) Applicant shall not work in any practice setting when on-site monitoring 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.

15) Applicant shall not be a nursing faculty member or an advance practice preceptor.

16) Applicant shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.

17) Applicant shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. Within fourteen (14) days of completing treatment, Applicant shall submit to Board staff a copy of Applicant's completion certificate or discharge summary. Applicant shall attend Narcotics Anonymous (NA), Alcoholics Anonymous (AA) or similar recovery program on a weekly basis and provide proof of attendance to Board staff. Applicant shall sign any release of information necessary to allow Board staff to communicate with Applicant's treatment provider and release Applicant's treatment records to the Board.

18) Applicant shall participate in the Board's random urine drug testing program. Failure to comply with random urine or any other requested drug test shall result in Applicant's immediate removal from nursing practice. Applicant shall submit to observed tests to determine the presence of unauthorized substances immediately upon request by Board staff or Applicant's employer. Applicant 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 Stipulated Order. Upon request of Board staff, Applicant shall obtain an evaluation by a Board approved chemical abuse or dependence evaluator. Applicant understands that Applicant is financially responsible for any and all costs related to testing and evaluating. Applicant's failure to maintain an account in good standing with the Board's laboratory vendor shall be considered a violation of this Stipulated Order.

19) Applicant shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while participating in the Board's random urine drug testing program, except as provided in **Section 20** below. Applicant shall avoid any over-the-counter products and food items containing alcohol, marijuana and poppy seeds.

20) Applicant may take medication for a documented medical condition, provided that Applicant obtains such medication only by a legal prescription written by a person authorized by law to write such a prescription. Applicant will notify Board staff within 72 hours in the event Applicant is prescribed such medication, and shall sign a release of information authorizing the prescribing person to communicate with Board staff about Applicant's medical condition. Applicant shall produce the medical records pertaining to the medical condition and medication use. Applicant will discard any unused prescription medications when it is no longer needed or expired.

21) Applicant 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 Applicant's employer.

22) Applicant shall notify any and all healthcare providers of the nature of Applicant's chemical dependency to ensure that Applicant's health history is complete before receiving any treatment, including medical and dental. Applicant shall provide Board staff with the names and contact information of any and all health care providers. Applicant shall sign any release of information necessary to allow Board staff to communicate with Applicant's healthcare providers and release Applicant's medical and treatment records to the Board. Applicant is financially responsible for any costs incurred for compliance with the terms and conditions of this Stipulated Order.

23) Applicant 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.

24) Applicant shall cooperate fully with Board staff in the supervision and investigation of Applicant's compliance with the terms and conditions of this Stipulated Order.

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 Applicant engages in future conduct resulting in violations the terms of this Stipulated Order and/or the Nurse Practice Act, the Board may take further disciplinary action against Applicant's license, up to and including revocation of Applicant's license to practice as a Registered Nurse.

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, Applicant 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 Applicant to sign this Stipulated Order.

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

IT IS SO AGREED:

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Terence Mitchell

---

Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

)

**In the Matter of** ) **FINAL ORDER OF REVOCATION**  
**Meghan Phillips, CNA** ) **BY DEFAULT**  
**(AKA: Meghan Mead-Phillips)** )  
)  
)  
**Certificate No. 201403431CNA** ) **Reference No. 19-01073**

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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. Meghan Phillips (CNA) was issued a Nursing Assistant certificate by the Board on June 12, 2014.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 20, 2019, a Notice stating that the Board intended to Revoke the Nursing Assistant certificate of Meghan Phillips was sent to CNA via certified and first-class mail to the address of record.

The Notice alleged that CNA abused a child, was untruthful about that abuse, and failed to fully cooperate with the Board during the course of this investigation.

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 June 12, 2014.
2. In December 2018 and/or January 2019, Licensee physically abused a child.
3. On March 20, 2019, in response to Board staff's question regarding the above-mentioned abuse, Licensee untruthfully told Board staff that they did not abuse the child.

4. On March 13, 2019, Board staff mailed Licensee a letter requesting a personal interview along with a written response to the allegations and a copy of their work history. On March 27, 2019, Licensee called Board staff and scheduled a personal interview for May 6, 2019; however, Licensee neither cancelled nor appeared for that interview. On May 8, 2019, Licensee emailed Board staff that they would call and reschedule the personal interview; however, Licensee did not call and reschedule the personal interview nor have they provided the requested written response to the allegations or a copy of their work history.
5. On November 20, 2019, 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, Meghan Phillips, and over the subject matter of this proceeding.
2. That CNA's conduct is in violation of ORS 678.442(2)(d)(f) and OAR 851-063-0090(1)(a)(b), (8)(d), (10)(a)(b)(c) which provide 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:*

- (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 851-063-0090 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, regardless of setting, related to general fitness to perform nursing assistant authorized duties:*
  - (a) Demonstrated incidents of violent, abusive, neglectful or reckless behavior; or*
  - (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.*
- (8) Conduct related to other federal or state statutes/rule violations:*
  - (d) Abusing a person;*
- (10) Conduct related to the certification holder's relationship with the Board:*

- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.*
- (b) Failing to answer truthfully and completely any question asked by the Board on an application for certification, renewal of certification, during the course of an investigation, or any other question asked by the Board;*
- (c) Failing to provide the Board with any documents requested by the Board;*

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 Meghan Phillips is REVOKED.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO MEGHAN PHILLIPS:

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.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Sharon Rice, RN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 090000386RN** ) **Reference No. 20-00461**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Sharon Rice (Licensee) was issued a Registered Nurse License/Certificate by the Board on September 11, 1990.

On or about October 31, 2019, the Board staff spoke with Licensee who said she wished to voluntarily surrender her Registered Nurse license.

Her decision was based on her inability to find suitable nursing employment since being placed on probation on March 13, 2019. She has also become full-time caregiver for her recently disabled husband.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f), and OAR 851-045-0070, (2)(a), (10)(d), 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 by 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 placed on probation for a period specified by the Oregon State Board of nursing and subject to such conditions 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 accepting 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 achieving and maintaining clinical competency.

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

(10) 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 their 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 Sharon Rice be accepted. If, after a minimum of three years, Ms. Rice wishes to reinstate their Registered Nurse license, Sharon Rice may submit an application to the Board to request reinstatement.**

Licensee agrees that they will not practice as a Registered Nurse from the date the Order is signed.

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, **Sharon Rice** 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 the signing of 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.

---

Sharon Rice, RN

---

Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

---

Barbara Turnipseed, RN  
Board President

---

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Tammy Roman, RN** ) **BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
 )  
**License No. 082010741RN** ) **Reference No. 19-00843**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Tammy Roman (Licensee) was issued a Registered Nurse License by the Board on August 30, 1983.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 6, 2019, a Notice stating that the Board intended to suspend the Registered Nurse License of Licensee was sent via certified and first-class mail to Licensee's address of record. The Notice alleged that Tammy Roman 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 August 30, 1983.
2. On or about December 10, 2018, Licensee was reported to the Board for alleged falsification of medical records. The Board opened an investigation into the matter.
3. On May 28, 2019, Board staff mailed a letter to Licensee's address of record requesting that she submit a written statement responding to the allegations and a current work history. Licensee failed to respond or provide any documents to the Board.

4. On July 16, 2019, Board staff mailed a second letter to Licensee's address of record requesting that she contact the Board within seven (7) days to comply with the May 28, 2019 request for a written statement and work history. Licensee failed to respond or provide any documents to the Board.
5. On July 25, 2019, Board staff sent a third letter to Licensee's e-mail address of record requesting that she contact the Board within five (5) days to respond to the May 28, 2019 and July 16, 2019 requests for a written statement and a work history. Licensee failed to respond or provide any documents to the Board.
6. On October 8, 2019, Board staff sent a fourth letter to Licensee's address of record requesting that she contact the Board within (5) days to schedule an interview with Board staff and to provide the previously requested written statement and work history. Licensee failed to respond or provide any documents to the Board.
7. On October 22, 2019, Board staff called the Licensee's phone number of record. Board staff left a voicemail asking Licensee to contact the Board by October 25, 2019. Licensee failed to respond.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Tammy Roman, 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), OAR 851-045-0070(10) (a) and (c)**, 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, or 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.**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

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

(a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege.

(c) Failing to provide the Board with any documents requested by the Board.

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 Tammy Roman 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 Tammy Roman has fully cooperated with the Board's investigation. Should the Board reinstate the Registered Nurse License of Tammy Roman, the Licensee would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

TO: TAMMY ROMAN:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Janet Scurlock, LPN** ) **PROBATION**  
)  
**License No. 201030149LPN** ) **Reference No. 20-00154**

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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. Janet Scurlock (Licensee) was issued a Practical Nurse license by the Oregon State Board of Nursing on June 3, 2010.

On multiple occasions between early 2016 and July 2019, Licensee illicitly purchased oxycodone online without a prescription and abusing it. In January 2017, May 2017, and May 2019, Licensee submitted renewal applications to the Board on which they untruthfully answered "No" to the disclosure question: "Since the date of your last renewal, have you used any illegal drugs, or prescription drugs in a manner other than prescribed?" On multiple occasions between April 2018 and July 2018, Licensee improperly administered oxycodone and failed to properly document patient pain. On multiple occasions between December 2018 and January 2019, Licensee failed to properly document patient pain. On multiple occasions between July 31, 2019 and August 04, 2019, Licensee improperly administered oxycodone and failed to document the administration, waste, or return of oxycodone they logged out. Upon review with Board staff of a recent chemical dependency evaluation, Licensee agrees that a period of probation is appropriate.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(c)(d)(f)(g) and OAR 851-045-0070(1)(b), (2)(a), (4)(a)(c), (7)(c), (8)(k), (9)(a), (10)(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:

(c) Any willful fraud or misrepresentation in applying for or procuring a license or renewal thereof.

(d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice.

(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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

- (1) Conduct related to general fitness to practice nursing:
- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
- (4) Conduct related to communication:
  - (a) Failure to accurately document nursing interventions and nursing practice implementation;
  - (c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records.
- (7) Conduct related to impaired function:
  - (c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, 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 of nursing.
- (8) Conduct related to other federal or state statute or rule violations:
  - (k) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled medications to any person, including self, except as directed by a person authorized by law to prescribe medications;
- (9) Conduct related to licensure or 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, obtaining initial licensure or certification, or renewal of licensure or certification;
- (10) 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 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:

That the Practical Nurse license of Janet Scurlock be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a twenty-four (24) month period of probation to begin upon their return to supervised nursing practice at the level of a Licensed Practical Nurse. Licensee must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where they are able to exercise the full extent of scope of duties in order to demonstrate whether they are competent. Limited overtime may be approved on occasion.

Licensee must 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 thirty-six (36) months from Board's acceptance of this Order to complete twenty-four (24) 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, their 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 Board staff. This includes changes of the employer itself or changes within the facility or institution.
- 9) Licensee shall inform current and prospective employers of the probationary status of their license, the reasons for their probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Licensee is employed.
- 10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe their practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Licensee shall be employed in a setting where their 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 Stipulated Order or of any other concern there may be

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 have access to narcotics or controlled substances, carry the keys to narcotics storage, or administer narcotics at any time or under any circumstances or until they receive written approval from Board staff.

14) Licensee shall not work in any practice setting when on-site monitoring 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.

15) Licensee shall not be a nursing faculty member or an advance practice preceptor.

16) Licensee shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.

17) Licensee shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. Within fourteen (14) days of completing treatment, Licensee shall submit to Board staff a copy of their 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 their treatment provider and release their treatment records to the Board.

18) Licensee shall participate in the Board's random urine drug testing program. Failure to comply with random urine or any other requested drug test shall result in Licensee's immediate removal from nursing practice. Licensee shall submit to observed tests to determine the presence of unauthorized substances immediately upon request by Board staff or their 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 Stipulated Order. Upon request of Board staff, Licensee shall obtain an evaluation by a Board approved chemical abuse or dependence evaluator. Licensee understands that they are financially responsible for any and all costs related to testing and evaluating. Licensee's failure to maintain an account in good standing with the Board's laboratory vendor shall be considered a violation of this Stipulated Order.

19) Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while participating in the Board's random urine drug testing program, except as provided in **Section 20** below. Licensee shall avoid any over-the-counter products and food items containing alcohol, marijuana and poppy seeds.

20) Licensee may take medication for a documented medical condition, provided that they obtain such medication only by a legal prescription written by a person authorized by law to write such a prescription. Licensee will notify Board staff within 72 hours in the event they are prescribed such medication, and shall sign a release of information authorizing the prescribing person to communicate with Board staff about their medical condition. Licensee shall produce the medical records pertaining to the medical condition and medication use. Licensee will discard any unused prescription medications when it is no longer needed or expired.

21) 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.

22) Licensee shall notify any and all healthcare providers of the nature of their chemical dependency to ensure that their health history is complete before receiving any treatment, including medical and dental. 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 their healthcare providers and release their medical and treatment records to the Board. Licensee is financially responsible for any costs incurred for compliance with the terms and conditions of this Stipulated Order.

23) 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.

24) Licensee shall cooperate fully with Board staff in the supervision and investigation of their compliance with the terms and conditions of this Stipulated Order.

Licensee 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.

Licensee understands that in the event they engages in future conduct resulting in violations the terms of this Stipulated Order and/or the Nurse Practice Act, the Board may take further disciplinary action, up to and including revocation of their license to practice as a Practical Nurse.

Licensee understands that this Stipulated 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 them to sign this Stipulated Order.

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

IT IS SO AGREED:

\_\_\_\_\_  
Janet Scurlock, LPN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

)

**In the Matter of** ) **FINAL ORDER OF DENIAL**  
**Jodi Sharbono, CNA** ) **OF NURSING ASSISTANT**  
 ) **CERTIFICATE BY DEFAULT**  
 )  
 ) **Reference No. 19-01448**

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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. Jodi Sharbono (Applicant) applied for a Nursing Assistant Certificate in the state of Oregon on or about June 13, 2019.

The Board considered this matter at its meeting on December 18, 2019.

On September 16, 2019, a Notice stating that the Board intended to deny the application for a Nursing Assistant Certificate was sent to Applicant via certified and first-class mail to Applicant's address of record. The Notice alleged that Applicant failed to cooperate with the Board by not submitting a written statement regarding explanations of Applicant's arrest history and not responding to requests that Applicant schedule an interview with the Board.

The Notice granted Applicant an opportunity for hearing if requested within sixty (60) 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. On or about June 25, 2019, Board staff reviewed the disclosure of Applicant's arrest history. Board staff sent a first interview letter was sent to the Applicant's address of record requesting a written statement regarding explanations of Applicant's arrest history and requesting that Applicant schedule an interview. No response was received.
2. On or about July 19, 2019, Board staff sent a second letter was sent to the address of record requesting a written statement regarding explanations of Applicant's arrest history and for Applicant to schedule an interview within 5 days of receiving the letter. No response was received.

3. On or about July 30, 2019, an email was sent to the email address of record for Applicant requesting that Applicant contact the Board regarding her application since the Board had not received any response to the two letters sent to Applicant's home address of record. A copy of the first interview letter with the language requesting a written statement regarding Applicant's explanation of Applicant's arrest history was attached to the email. The Board established a deadline of August 5, 2019 to reply and send the requested documentation and schedule an interview. No response was received to the email by the deadline of August 5, 2019 and no documents were received.

4. On September 11, 2019, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Nursing Assistant Certificate.

5. On September 16, 2019, Board staff mailed a Notice of Proposed Denial of Nursing Assistant Certificate to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) 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. On October 14, 2019, the Board received the mailed Notice of Proposed Denial of Nursing Assistant Certificate as returned mail via certified mail. The envelope was marked "Return to Sender-Unclaimed-Unable to Forward."

## II CONCLUSIONS OF LAW

1. That the Board has jurisdiction over Applicant, Jodi Sharbono, and over the subject matter of this proceeding.

2. That Applicant's conduct is in violation of ORS 678.442(a) OAR 851-063-0090(10(a)(c) which read as follows:

### **ORS 678.442 Certification of nursing assistants; rules.**

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:

(a) Conviction of the certificate holder of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant. 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.

### **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:

(10) Conduct related to the certification holder's relationship with the Board:

- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.
- (c) Failing to provide the Board with any documents requested by the Board; or

3. That Applicant defaulted on the Notice by not requesting a hearing within the allotted sixty (60) 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 Application for a Nursing Assistant Certificate is denied.

Dated this \_\_\_\_\_ day of December 2019

FOR THE OREGON STATE BOARD OF NURSING

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Barbara Turnipseed, RN  
Board President

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 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 60 days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Jordan Slayton, RN**

)  
) **FINAL ORDER OF REVOCATION**  
) **BY DEFAULT**  
)  
) **Reference No. 19-01464**

**License No. 201807805RN**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jordan Slayton (Licensee) was issued a Registered Nurse license by the Board on September 13, 2018.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 15, 2019, a Notice stating that the Board intended to revoke the Registered Nurse license of Jordan Slayton was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee abused controlled substances, was impaired at work, falsely documented treating a patient, asked a co-worker to illicitly obtain pain medications for them, untruthfully answered questions on their Oregon Registered Nurse License Endorsement Application, and has failed to cooperate with 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 September 13, 2018.
2. In early 2017, Licensee used controlled substances to an extent or in a manner dangerous or injurious to Licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

3. On or about June 25, 2017, Licensee was impaired at work as a result of psychological or mental impairment

and/or

the Board alleges that on or about June 25, 2017, Licensee was impaired at work as a result of the use of drugs, alcohol or mind-altering substances.

4. On or about June 25, 2017, Licensee asked a co-worker to register as a patient, request pain medications and give the medications to them.
5. On or about June 25, 2017, Licensee falsely documented treating a patient, including entering vital signs, when, in fact, they did not provide any treatment.
6. In August 2017, Licensee used a prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner dangerous or injurious to Licensee or others or to an extent that such use impairs the ability to conduct safely the practice of nursing.
7. On or about August 17, 2018, Licensee untruthfully answered “No” to the following questions on their Oregon Registered Nurse License Endorsement Application:  
“In the last two years, have you been diagnosed with or treated for an alcohol or any drug-related conditions?”  
“Have you ever been investigated for any alleged violation of any state or federal law, rule, or practice standard regulating a health care profession? Include any pending investigations.”
8. On November 15, 2019, 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, Jordan Slayton, and over the subject matter of this proceeding.
2. That Licensee’s conduct is in violation of ORS 678.111(1)(c)(d)(e)(f)(g) and OAR 851-045-0070(1)(b), (7)(c), (9)(a), (10)(a)(b)(c) and the former version of OAR 851-045-0070(2)(f)(i), (3)(c)(f), (5)(b)(c)(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:*

- (c) Any willful fraud or misrepresentation in applying for or procuring a license or renewal thereof.*
- (d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice.*
- (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 678.448 or rules adopted thereunder.*

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

*Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:*

- (1) Conduct related to general fitness to practice nursing:*
- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.*
- (7) Conduct related to impaired function:*
- (c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, 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 of nursing.*
- (9) Conduct related to licensure or 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, obtaining initial licensure or certification, or renewal of licensure or certification;*
- (10) Conduct related to the licensee's relationship with the Board:*
- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege;*
- (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;*
- (c) Failing to provide the Board with any documents requested by the Board;*

*(The below former rules version applies to actions taking place prior to August 2017.)*

***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.*

*(i) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.*

*(3) Conduct related to communication:*

*(c) Falsifying a client or agency record or records prepared for an accrediting or credentialing entity; including, but not limited to, filling in someone else's omissions, signing someone else's name, record care not given, and fabricating data/values.*

*(f) Directing another person to falsify, alter or destroy client or agency records or records prepared for an accrediting or credentialing entity.*

*(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.*

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 Jordan Slayton is REVOKED.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO JORDAN SLAYTON:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

)

**In the Matter of** ) **FINAL ORDER OF REVOCATION**  
**Jaime Stratemeyer, CNA** ) **BY DEFAULT**

)  
)

**Certificate No. 201607661CNA** ) **Reference No. 20-00003**

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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. Jaime Stratemeyer (CNA) was issued a Nursing Assistant certificate by the Board on September 20, 2016.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 19, 2019, a Notice stating that the Board intended to Revoke the Nursing Assistant certificate of Jaime Stratemeyer was sent to CNA via certified and first-class mail to the address of record.

The Notice alleged that CNA verbally/emotionally abused a resident, neglected a resident, and failed to fully cooperate with the Board during the course of this investigation.

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 September 20, 2016.
2. On July 17, 2019, Board staff emailed and mailed a letter to CNA's addresses of record requesting that CNA schedule an interview to discuss the allegations. CNA was further instructed to send a written statement regarding the allegations and a current work history. On July 25, 2019, Board staff mailed another letter to CNA's address of record

requesting that CNA schedule an interview to discuss the allegations. CNA was further instructed to send a written statement regarding the allegations and a current work history. On August 09, 2019, another letter was sent to CNA's address of record requesting that CNA contact the Board within five (5) business days to schedule an interview to discuss the allegations. CNA was also asked to send a written statement regarding the allegations and provide a current work history. CNA failed to schedule an interview and did not provide the requested documents to the Board. On July 24, July 27, and September 3, 2019, CNA emailed Board staff messages indicating that they were unwilling to fully cooperate with the Board during the course of an investigation unless Board staff met certain conditions.

3. In April 2019, CNA slept while on duty and failed to show for scheduled shifts without properly notifying appropriate supervisory personnel.
4. In May 2019, CNA verbally/emotionally abused a resident; however, CNA subsequently denied this when they were questioned about it the following month by Adult Protective Services.
5. On November 19, 2019, 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, Jaime Stratemeyer, and over the subject matter of this proceeding.
2. That CNA's conduct is in violation of ORS 678.442(2)(d)(f) and OAR 851-063-0090(1)(a)(b), (3)(e), (8)(d)(e)(h), (10)(a)(b)(c) which provide 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:*

- (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 851-063-0090 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, regardless of setting, related to general fitness to perform nursing assistant authorized duties:*
- (a) Demonstrated incidents of violent, abusive, neglectful or reckless behavior; or*
  - (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.*
- (3) Conduct related to client safety and integrity:*
- (e) Leaving or failing to complete a nursing assistant assignment without properly notifying appropriate supervisory personnel;*
- (8) Conduct related to other federal or state statutes/rule violations:*
- (d) Abusing a person;*
  - (e) Neglecting a person;*
  - (h) Engaging in other unacceptable behavior towards or in the presence of the client. Such behavior includes but is not limited to using derogatory names, derogatory or threatening gestures, or profane language;*
- (10) Conduct related to the certification holder's relationship with the Board:*
- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.*
  - (b) Failing to answer truthfully and completely any question asked by the Board on an application for certification, renewal of certification, during the course of an investigation, or any other question asked by the Board;*
  - (c) Failing to provide the Board with any documents requested by the Board;*

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 Jaime Stratemeyer is REVOKED.

DATED this \_\_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO JAIME STRATEMEYER:

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** ) **STIPULATED ORDER FOR**  
**R Taylor, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 090007497RN** ) **Reference No. 19-01070**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. R Taylor (Licensee) was issued a Registered Nurse License by the Board on October 23, 1990.

On or about March 1, 2019, the Board received information that Licensee's Registered Nurse license in California had been revoked. It was alleged that Licensee had failed to keep adequate records and acted incompetently in connection with the administration of opioid medications between December 1, 2014 and January 28, 2015.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111 (1)(h)**.

**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:

(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.

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 R Taylor be reprimanded.**

Licensee understands that the alleged conduct is a violation of administrative law pursuant to **ORS 678.111 (1)(h)** and is considered by the Board to be of a serious nature and, if repeated, would constitute a potential 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.

\_\_\_\_\_  
R Taylor, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Carolyn Theakston, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 201041771RN** ) **Reference No. 18-00717**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Carolyn Theakston (Licensee) was issued a Registered Nurse License by the Board on July 12, 2010.

On or about October 27, 2017, the Board received information that Licensee failed to ensure that a resident received the complete course of a prescribed antibiotic and failed to document resident assessments and changes in condition.

By the above actions, Licensee may be subject to discipline pursuant to **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(4)(a)(b)(c)(C)(g)**.

**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**

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

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

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

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

(c) Failing to develop, implement or modify the plan of care.

(4) Conduct related to communication:

(a) Failure to accurately document nursing interventions and nursing practice implementation;

(b) Failure to document nursing interventions and nursing practice implementation in a timely, accurate, thorough, and clear manner. This includes failing to document a late entry within a

reasonable time period;

(c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:

(C) Failing to document information pertinent to a client's care;

(g) Failing to communicate information regarding the client's status to other individuals who are authorized to receive information and have a need to know.

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 Carolyn Theakston be reprimanded.**

Licensee understands that the conduct resulting in the violations of law described in this Order, if proven at hearing, 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 License.

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.

\_\_\_\_\_  
Carolyn Theakston, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, 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**  
**Linda Weber, RN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 088006721RN** ) **Reference No. 20-00465**

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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 Weber (Licensee) was issued a Registered Nurse License/Certificate by the Board on September 21, 1988.

On or about August 28, 2017, the Board received information that Licensee was suspected of diverting narcotics. An investigation was open into this matter.

An audit of Licensee's narcotic administration records revealed that from April 12, 2017, through August 13, 2017, Licensee frequently charted pain assessments over an hour after administration, sometimes after a patient was discharged. Licensee also failed to chart the administration and/or waste of narcotics in a timely manner, or at all.

On February 14, 2018, the Board placed Licensee on twelve (12) months of probation. Licensee has not been able to secure a nursing position and feels her life is now going in a different direction. For this reason she has decided to voluntarily surrender her license.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f), and OAR 851-045-0070, (2)(a), (10)(d), 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 by 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 placed on probation for a period specified by the Oregon State Board of nursing and subject to such conditions 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 accepting 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 achieving and maintaining clinical competency.

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

(10) 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 their 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 Linda Weber be accepted. If, after a minimum of three years, Ms. Weber wishes to reinstate their Registered Nurse license, Linda Weber may submit an application to the Board to request reinstatement.**

Licensee agrees that they will not practice as a Registered Nurse from the date the Order is signed.

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, **Linda Weber** 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 the signing of 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.

\_\_\_\_\_  
Linda Weber, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Sean Wisdom, CNA** ) **OF NURSING ASSISTANT**  
 ) **CERTIFICATE BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
 )  
**Certificate No. 200711758CNA** ) **Reference No. 20-00341**

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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. Sean Wisdom (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on August 17, 2007.

This matter was considered by the Board at its meeting on December 18, 2019.

On November 21, 2019, a Notice stating that the Board intended to suspend the Nursing Assistant Certificate of Certificate Holder was sent to the address of record via certified and first-class mail. The Notice alleged that Sean Wisdom 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 August 17, 2007.

2. On or about October 4, 2019, the Board received a report stating that Certificate Holder had been terminated for multiple issues to include, but not limited to, verbally and physically abusing patients and for failing to provide care to patients at all or in a timely manner. The Board opened an investigation into the matter.
3. On October 9, 2019, Board staff mailed a letter to Certificate Holders' address of record requesting that an interview be scheduled 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 October 30, 2019, a second letter was sent to Certificate Holders' address of record, requesting that the Board be contacted 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 November 21, 2019, 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 resulting in default.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Sean Wisdom, 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) and OAR 851-063-0090(10)(a) and (c), which read as follows:

**ORS 678.442(2)(f) 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(10)(a)(c) 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:

(10) Conduct related to the certificate holder's relationship with the Board:

(a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.

(c) Failing to provide the Board with any documents requested by the Board; or

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 Sean Wisdom 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 Sean Wisdom has fully cooperated with the Board's investigation. Should the Board reinstate the Nursing Assistant Certificate of Sean Wisdom, the Certificate Holder would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_ day of December, 2019

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Barbara Turnipseed, RN  
Board President

TO: SEAN WISDOM:

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.

SIGNATURES & DATED COPY ON FILE WITH BOARD OF NURSING OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR PRACTICE**  
**Edward Yan, RN** ) **PROBATION**  
 )  
**License No. 201707290RN** ) **Reference No. 19-00872**

---

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 Yan (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on September 6, 2017.

On or about January 10, 2019, the Board received information that Licensee failed to take action to promote and preserve the safety of several patients under his care.

Licensee admits failing to advocate for a patient and/or seeking additional guidance for a patient who did not wish to have a foley catheter placed, and instead attempted to place the catheter.

Licensee is currently engaged in a work plan that requires regular check-ins, reflective practice and ongoing feedback.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f)(g) and OAR 851-045-0070(2)(a), (3)(a)(b)(c) and (4)(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.
- (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

Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

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

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

- (a) Developing, modifying, or implementing policies that jeopardize client safety;
- (b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment;

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:

That the Registered Nurse License of Edward Yan of be placed on Probation for Two (2) Years. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a twenty-four (24) month period of probation to begin upon Licensee's return to supervised nursing practice at the level of a Registered Nurse. Licensee must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Licensee is able to exercise the full extent of scope of duties in order to demonstrate whether or not Licensee is competent. Limited overtime may be approved on occasion.

Licensee must 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 thirty-six (36) months from Board acceptance of this Stipulated Order to complete twenty- four (24) 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 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 a 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 the approval of Board staff. This includes changes of the employer itself or changes within the facility or institution.
- 9) Licensee shall inform current and prospective employers of the probationary status of

Licensee's license, the reasons for Licensee's probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Licensee is employed.

10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Licensee's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. 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 the Licensee's non-compliance with the terms and conditions of this Stipulated Order, or of any other concern there may be regarding Licensee's work-related conduct or personal behavior that may affect Licensee's ability to practice as a nurse.

12) Licensee shall notify Board staff when there is a change in status of employment including resignations or terminations.

13) Licensee shall not work in any practice setting in which on-site monitoring is not available. This generally includes home health agencies, traveling agencies, nursing 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 not be a nursing faculty member or an advance practice preceptor.

15) Licensee shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.

16) Licensee shall cease practicing as a nurse if there are concerns about Licensee's ability to practice safely or at the request of Board staff. Practice may resume when approved by the Board staff, in consultation with Licensee's employer.

17) Licensee shall cooperate fully with the Board in the supervision and investigation of Licensee's compliance with the terms and conditions of this Stipulated Order.

Licensee 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.

Licensee also understands that in the event Licensee engages in future conduct resulting in violations of the law or terms of probation 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 Stipulated Order will be submitted to the Board of Nursing for 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 Stipulated Order.

Licensee understands that this Stipulated Order is a public record.

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

IT IS SO AGREED:

\_\_\_\_\_  
Edward Yan, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Barbara Turnipseed, RN  
Board President

\_\_\_\_\_  
Date