

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Sydney Alberter, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 201802175RN** ) **Reference No. 19-00651**

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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 Licenses. Sydney Alberter (Licensee) was issued a Registered Nurse license by the Board on March 23, 2018.

On or about November 15, 2018, Licensee made a self-report to the Board about an incident which occurred while she was on duty providing care to a patient. On August 28, 2018, Licensee used her personal cell phone to forward a photograph of the patient's injury to another staff person, without a medical or business need to do so.

Licensee expressed great remorse, took responsibility for her actions and took additional training recommended by the Board on patient privacy and professional boundaries.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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:

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

(k) Failing to respect the dignity and rights of clients, inclusive of social or economic status, age, race, religion, gender, gender identity, sexual orientation, national origin, nature of health needs, physical attributes, or disability.

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 Sydney Alberter 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.

\_\_\_\_\_  
Sydney Alberter, 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**  
**Samuel Blackford, CNA** ) **VOLUNTARY SURRENDER**  
)  
**201394651CNA** ) **Reference No. 20-00852**

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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. Samuel Blackford (Certificate Holder - CNA) was issued a Nursing Assistant Certificate by the Board on 12/19/13.

On multiple occasions in 2018, CNA engaged in abusive or threatening behavior towards co-workers. During the course of the investigation, CNA initially failed to answer questions asked by Board staff regarding reasons for leaving previous employments truthfully and completely.

On 10/10/19, a Stipulated Order for 6 months of practice monitoring was approved by the Board.

Licensee has been unable to obtain employment as a CNA since beginning his probationary period and will not be able to complete the probation requirements.

By the above actions, Licensee is subject to discipline pursuant to . . .

- 678.442 Certification of nursing assistants; rules.** (1) The Oregon State Board of Nursing shall establish standards for certifying and shall certify as a nursing assistant any person who:
- (2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:
- (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.

**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.
- (6) Conduct related to relationships with co-workers and health care team members:
- (a) Engaging in violent, abusive or threatening behavior towards a co-worker; or

(b) Engaging in violent, abusive or threatening behavior that relates to the performance of safe care to a person.

(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;

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

Certificate Holder wishes to cooperate with the Board in this matter and voluntarily surrender their CNA 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 Certified Nursing Assistant Certificate of Samuel Blackford be accepted. If, after a minimum of three years, Mr. Blackford wishes to reinstate their CNA, Samuel Blackford may submit an application to the Board to request reinstatement.**

CNA agrees that they will not practice as a CNA 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, **Samuel Blackford** waives 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.

\_\_\_\_\_  
Samuel Blackford, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
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**  
**Scott Brownlee, RN** ) **VOLUNTARY SURRENDER**  
 )  
**License No. 201904618RN** ) **Reference No. 20-00881**

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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. In September 2018, Scott Brownlee (Licensee) submitted an application for Registered Nurse licensure by endorsement and was issued a Registered Nurse License by the Board on June 13, 2019.

On June 12, 2019, Licensee was placed on a 24 month probation after Licensee disclosed on his application a substance use history along with his history of discipline with the Colorado State Board of Nursing. In January 2015, Colorado suspended his license when he failed to comply with their alternative to discipline program. In October 2015, Licensee voluntarily surrendered his Colorado license as he had previously moved to Oregon. Also, after moving to Oregon, Licensee was arrested for a DUII (his third) and Misdemeanor Assault IV. Licensee entered treatment in February 2018 and successfully completed his recommended treatment in May 2018. He reported his clean and sober date as July 22, 2016.

On February 16, 2020, Licensee's Registered Nurse license expired. He did not have the 960 hours of practice required to renew his license as he was not able to return to practice since beginning probation. Licensee also determined he would not be able to enroll in the re-entry program at this time. Therefore, Licensee will not be able to complete probation.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (f) and OAR 851-045-0070 (10) (d) which read as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

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

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:
- (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 Scott Brownlee be accepted. If, after a minimum of three years, Mr. Brownlee wishes to reinstate their Registered Nurse license, Scott Brownlee 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, **Scott Brownlee** 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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Scott Brownlee, RN

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Date

**ORDER**

IT IS SO ORDERED:

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

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Kathleen Chinn, FNP-BC  
Board President

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Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Sarah Bybee, LPN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 201702011LPN** ) **Reference No. 20-00449**

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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. Sarah Bybee (Licensee) was issued a Practical Nurse License by the Board on March 24, 2017.

On or about November 4, 2019, Licensee self-reported to the Board that she was arrested after submitting and filling an invalid prescription for phentermine to several pharmacies on four separate occasions. Licensee stated that she provided the phentermine to another individual for their personal use. Licensee signed an Interim Consent Order on November 5, 2019, agreeing to cease practicing as a nurse during the course of the Board's investigation.

On November 12, 2019, Licensee pleaded guilty to a charge of Tampering with Drug Records. Licensee is subject to 12 months of Court probation and is eligible for dismissal of the charge upon the successful fulfillment of all conditions.

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

(f) Conduct derogatory to the standards of nursing.

**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.

(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 wishes to cooperate with the Board in this matter and voluntarily surrender her Practical 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 Practical Nurse license of Sarah Bybee be accepted. That Licensee may credit four (4) months of the time she refrained from practice during the Board investigation against the required three years. Therefore, if, after a minimum of thirty-two (32) months, Ms. Bybee wishes to reinstate her Practical Nurse license, she may submit an application to the Board to request reinstatement. Should the Board reinstate the Registered Nurse license of Ms. Bybee, she would be subject to whatever terms and conditions the Board may impose.**

Licensee agrees that she will not practice as a Licensed Practical 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, 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 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.

\_\_\_\_\_  
Sarah Bybee

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Candace Cain, CNA**

)  
) **FINAL ORDER OF REVOCATION**  
) **BY DEFAULT**  
) **OF CERTIFIED NURSING ASSISTANT  
CERTIFICATE**  
)  
) **Reference No. 20-00725**

**Certificate No. 200710684CNA**

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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. Candace Cain (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on April 11, 2007.

This matter was considered by the Board at its meeting on March 11, 2020.

On February 14, 2020, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant Certificate of Candace Cain was sent to Certificate Holder via certified and first-class mail to the address of record.

The Notice alleged that Certificate Holder was in violation of a signed Stipulated Order for Probation.

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 April 11, 2007.
2. The Board alleges that on or about October 15, 2019, Certificate Holder was notified by letter to activate their account with our Lab Vendor. Certificate Holder failed to activate their account as directed. This is in violation of: **ORS 678.442 (2) (d)(f), OAR 851-063-0090 (10)(d)**

3. The Board alleges that on or about October 15, 2019, Certificate Holder was requested by letter to call and schedule an interview at the Board's office for an initial appointment with the Probation Compliance Specialist to review probation requirements. Certificate Holder failed to request a timely appointment. This is in violation of:

**ORS 678.442 (2) (d)(f), OAR 851-063-0090 (10)(d)**

4. It is alleged that Certificate Holder scheduled an appointment on 11/4/19 for 11/21/19. Certificate Holder failed to keep this appointment cancelling by email on 11/21/19. This is in violation of: **ORS 678.442 (2) (d)(f), OAR 851-063-0090 (10)(d)**

5. The Board alleges that on or about January 15, 2020, Certificate Holder was contacted via email and at that time Certificate Holder requested a Voluntary Surrender be sent to Certificate Holder. A Voluntary Surrender was sent on 1/15/20 with a requested response date of January 30, 2020 for review of her file at the 2/12/20 Board Meeting. The Stipulation was not returned and no call has been received regarding Certificate Holder's status. This is in violation of:

**ORS 678.442 (2) (d)(f), OAR 851-063-0090 (10)(d)**

6. The Board alleges that Certificate Holder has not contacted their Probation monitor for monthly check-ins for December 2019, January, 2020, and February 2020, as required by Stipulated Order. This is in violation of: **ORS 678.442 (2) (d)(f), OAR 851-063-0090 (10)(d)**

**-II-**

## **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the Certificate Holder, Candace Cain, and over the subject matter of this proceeding.

2. That Certificate Holder's conduct is in violation of ORS ORS 678.442 and OAR 851-063-0090 which read as follows:

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

(1) The Oregon State Board of Nursing shall establish standards for certifying and shall certify as a nursing assistant any person who:

(a) Submits an application;

(b)(A) Shows completion of an approved training program for nursing assistants; or

(B) Has military training or experience that the board determines is substantially equivalent to the training required by subparagraph (A) of this paragraph; and

(c) Passes a board approved examination.

(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 certification holder's relationship with the Board:  
(d) Violating the terms and conditions of a Board order.

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

**-III-**

**ORDER**

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

ORDERED that the Certified Nursing Assistant Certificate of Candace Cain is REVOKED.

DATED this \_\_\_\_ day of March, 2020

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

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Kathleen Chinn, FNP-BC  
Board President

TO: CANDACE CAIN:

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**  
**Danielle Caldwell, RN** ) **PROBATION**  
)  
**License No. 200641214RN** ) **Reference No. 20-00173**

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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 and Applicants. Danielle Caldwell (Applicant) was issued a Registered Nurse License by the Oregon State Board of Nursing on June 13, 2006.

On or about March 23, 2016, the Board accepted Applicant's signed Stipulated Order for twenty-four (24) months of Probation after she reported a 2014 arrest for Driving Under the Influence of Intoxicants and related diagnoses.

In June of 2016, Applicant decided to resign her nursing position and pursue a different career path. Applicant signed a Voluntary Surrender of License on June 15, 2016.

On July 9, 2019, Applicant submitted an application to reactivate her nursing license.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(e)(f) and (g) and OAR 851-045-0070(5)(d) [*cert effective 8/1/2012*] which reads as follows:

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

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

- (e) Impairment as defined in ORS 676.303.
- (f) Conduct derogatory to the standards of nursing.
- (g) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder.

**851-045-0070**

**Conduct Derogatory to the Standards of Nursing Defined**

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

Such conduct shall include, but is not limited to, the following:

- (5) Conduct related to impaired function:
- (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 (hereinafter referred to as 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 Danielle Caldwell 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 twelve (12) 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 twenty-four (24) months from Board's acceptance of this Order to complete twelve (12) months of monitored practice.
- 3) Licensee shall notify Board staff, in writing, prior to any change of address or employment setting during the probation period.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall inform Board staff in advance of any absences from Oregon and/or any move from Oregon to another licensing jurisdiction. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated.
- 6) Licensee shall appear in person or by phone, to designated Board staff for interviews on a monthly basis during the probationary period. Frequency of contact may be reviewed and revised periodically at the discretion of Board staff.
- 7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
- 8) Licensee will not look for, accept, or begin a new nursing position without prior approval of 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 20** 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:

\_\_\_\_\_  
Danielle Caldwell, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Susan Cunningham, NP** ) **CIVIL PENALTY**  
 )  
**License No. 201608738NP-PP,** ) **Reference No. 19-00953**  
**095007201RN**

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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. Susan Cunningham (Licensee) was issued a Nurse Practitioner License by the Oregon State Board of Nursing on October 24, 2016.

On or about February 1, 2019, the Board received information that Licensee operated a C-Arm at her place of employment without obtaining fluoroscopy certification.

The above allegation is grounds for imposing a civil penalty pursuant to **ORS 678.111(1)(f), ORS 678.117(1), OAR 851-045-0070(2)(a)(3)(f) and OAR 851-045-0100(2)(f)(D).**

**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.

**ORS 678.117 Procedure for imposing civil penalty; amount; rules.**

- (1) The Oregon State board of Nursing shall adopt by rule a schedule establishing the amount of civil penalty that may be imposed for any violation of **ORS 678.010 to 678.448** or any rule of the board. No civil penalty shall exceed \$5,000.

**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:
- (f) Assuming duties and responsibilities within the practice of nursing when competency has not been established or maintained.

**OAR 851-045-0100 Imposition of Civil Penalties.**

- (2) Civil penalties may be imposed according to the following schedule:
- (f) Conduct derogatory to the standards of nursing \$1,000-\$5,000. The following factors will be considered in determining the dollar amount, to include, but not be limited to:
- (D) Potential danger to the public health, safety and welfare.

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 Board impose a civil penalty against Licensee in the amount of \$2,500.**

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

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 for Civil Penalty, 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 the Licensee to sign this Order.

This Civil Penalty shall become due and payable within twenty (20) days from the date this Stipulated Order is signed by the Board President. Payments shall be made payable to the Oregon State Board of Nursing at 17938 SW Upper Boones Ferry Road, Portland, OR 97224; alternatively, payment may be made by phone at 971-673-0685.

Licensee understands that if payment is 60 days overdue from the date due as stated in this Stipulation, collection of the Civil Penalty will be assigned to the Oregon Department of Revenue. In the event any amount is assigned for collection, the Licensee is subject to further disciplinary action by the Board which could include suspension, revocation or denial of licensure.

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

\_\_\_\_\_  
Susan Cunningham, NP

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY OF FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Rudolf Ebot**

)  
) **FINAL ORDER OF DENIAL OF**  
) **PRACTICAL NURSE LICENSE**  
) **BY DEFAULT**  
)

**LPN Endorsement Applicant**

) **Reference No. 19-01462**

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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. Rudolf Ebot (Applicant) applied for a Practical Nurse license by endorsement in the state of Oregon on or about April 2, 2019.

This matter was considered by the Board at its meeting on March 11, 2020.

On January 6, 2020, a Notice stating that the Board intended to deny the application for a Practical Nurse license was sent to Applicant via certified and first-class mail to his address of record. The Notice alleged Applicant was ineligible for licensure.

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 April 2, 2019, Applicant made application to the Board for Practical Nurse licensure by endorsement.
2. On or about April 13, 2016, the North Dakota Board of Nursing issued Applicant a Cease and Desist Order revoking his authority to practice nursing in North Dakota based on the following:

On September 10, 2015, Applicant's employment was terminated for (i) improperly setting a feeding pump to run at 295 ml/hr, causing a patient to receive 240 ml of tube feeding over a short period of time, (ii) making a medication error in which Applicant

gave a resident the wrong dose of Lovenox, (iii) engaging in unprofessional behavior and (iv) making inappropriate comments.

3. On or about March 6, 2018, the Maryland Board of Nursing issued Applicant a Default Final Decision and Order of Suspension, wherein his license to practice vocational nursing was suspended for a minimum of one year based on action taken by the North Dakota Board of Nursing.

4. On or about July 25, 2019, the Texas Board of Nursing adopted an Agreed Order signed by Applicant reprimanding his Texas Practical Nurse license with stipulations, including that he must work as a nurse in the state of Texas while on probation, based on discipline taken by the North Dakota and Maryland Boards of Nursing, and the following:

On or about June 14, 2015 and January 29, 2016, while employed with Epic Health Services, Houston, Texas, and assigned to private duty nursing with pediatric patients (Patient MRN 7961 on June 14, 2015 and Patient MRN 9888 on January 29, 2016), Applicant lacked fitness to practice nursing in that he was found to be sleeping while on duty.

5. On December 18, 2019, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Practical Nurse license.

6. On January 6, 2020, Board staff mailed a Notice of Proposed Denial of Practical Nurse License 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, Rudolf Ebot, and over the subject matter of this proceeding.

2. That Applicant's conduct is in violation of ORS 678.111(1)(f) and OAR 851-031-0006(2)(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.

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

(2) Limits on Eligibility:

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

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 Practical Nurse license is denied.

Dated this \_\_\_\_\_ day of March, 2020.

FOR THE OREGON STATE BOARD OF NURSING

---

Kathleen Chinn, RN, FNP  
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** ) **FINAL ORDER OF SUSPENSION**  
**Victoria Gentry, LPN** ) **BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
 )  
**License No. 201390707LPN** ) **Reference No. 19-01223**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Victoria Gentry (Licensee) was issued a Registered Nurse License by the Board on July 15, 2013.

This matter was considered by the Board at its meeting on March 11, 2020.

On January 30, 2020, a Notice stating that the Board intended to Suspend the Licensed Practical Nurse License. Licensee was sent the Notice via certified and first-class mail to Licensee's address of record. The Notice alleged that Victoria Gentry 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 July 15, 2013.
2. On or about April 11, 2019, Licensee was reported to the Board for a medication error that result in patient harm and transfer to the hospital. The Board opened an investigation into the matter.
3. On June 5, 2019, Board staff mailed a letter to Licensee's address of record requesting that they 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 June 18, 2019, an email was sent to Licensee at the address on record with the Board. Also, on June 18, 2019, a voicemail was left on Licensee's number on record with the Board. 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 January 24, 2020, Licensee was sent an email to the address on record with the Board, advising her to contact the Board within five business days from the date of the email, to schedule an interview. 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.
6. On January 30, 2020, Board staff mailed a Notice of Proposed Suspension to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

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

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Victoria Gentry, 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 Licensed Practical Nurse License of Victoria Gentry 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 Victoria Gentry has fully cooperated with the Board's investigation. Should the Board reinstate the Licensed Practical Nurse License of Victoria Gentry, the Licensee would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_ day of March, 2020

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

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Kathleen Chinn, FNP-BC  
Board President

TO: VICTORIA GENTRY:

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**  
**JoDee Hunter, RN** ) **PROBATION**  
)  
**License No. 201041389RN** ) **Reference No. 20-00496**

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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. JoDee Hunter (Applicant) was issued a Registered Nurse license by the Oregon State Board of Nursing on June 28, 2010.

On April 13, 2017, Applicant's Registered Nurse license expired.

On April 17, 2017, Applicant submitted an untimely application to renew her Registered Nurse license. In that application, Applicant disclosed recent contact by law enforcement related to alcohol use.

On November 17, 2017, the Board voted to issue a Notice of Proposed Denial of Registered Nurse license and the Notice was issued on December 7, 2017. Applicant requested a hearing and the hearing was scheduled for September 25, 2018.

On June 22, 2018, Applicant withdrew her hearing request as she no longer wished to contest the matter.

On July 11, 2018, the Board issued a Final Order of Denial of Registered Nurse by Default denying Applicant's April 17, 2017 application.

On October 7, 2019, Applicant submitted an application to reactivate her Registered Nurse license and disclosed her substance use history that had led to denial of her April 17, 2017 application.

Applicant has provided evidence of rehabilitation, including treatment for substance use, ongoing participation in recovery support programs and documented abstinence from mind-altering substances since October 23, 2018.

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

**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.

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 Board reinstate the Registered Nurse license of JoDee Hunter (hereinafter "Licensee") on Probation. 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:

\_\_\_\_\_  
JoDee Hunter, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Lynda Lancharic, RN** ) **REPRIMAND OF LICENSE**  
)  
**License No. 201809817RN** ) **Reference No. 20-00412**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Lynda Lancharic (Licensee) was issued a Registered Nurse license by the Board on October 29, 2018.

In 2019, Licensee provided Licensee's own urine to another nurse who had requested it to falsify their (the other nurse's) pre-surgical nicotine screen. Licensee failed to report the other nurse for requesting and receiving urine.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f)(g) and OAR 851-045-0070(3)(j), (8)(a) which provide as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

(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:

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

(j) Failing to report through proper channels, facts known regarding the incompetent, unethical, unsafe or illegal practice of any health care provider pursuant to ORS chapter 676;

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

(a) Aiding, abetting, or assisting an individual to violate or circumvent any law, rule or regulation intended to guide the conduct of nurses or other health care providers;

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 Lynda Lancharic 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 their 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.

---

Lynda Lancharic, RN

---

Date

**ORDER**

IT IS SO ORDERED:

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

---

Kathleen Chinn, FNP-BC  
Board President

---

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Alexandra Maynard**

)  
) **FINAL ORDER OF SUSPENSION**  
) **BY DEFAULT**  
)

**Certificate No. 201708043CNA**

) **Reference No. 19-00868**

---

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. Alexandra Maynard (CNA) was issued a Nursing Assistant certificate by the Board on September 28, 2017 which expired on August 22, 2019.

This matter was considered by the Board at its meeting on March 11, 2020.

On February 13, 2020, a Notice stating that the Board intended to suspend the Nursing Assistant certificate of Alexandra Maynard was sent to CNA via certified and first-class mail to the address of record.

The Notice alleged that CNA yelled at a resident and was rough while providing their perineal care resulting in them sustaining broken skin in their private area and experiencing significant pain.

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 28, 2017 which expired on August 22, 2019.
2. On or about June 23, 2018, CNA yelled at a resident and was rough while providing their perineal care resulting in them sustaining broken skin in their private area and experiencing significant pain.
3. On February 13, 2020, 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.

**-II-**

**CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the CNA, Alexandra Maynard, 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(2)(a), (3)(a), (8)(d)(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:*

- (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;*
    - (8) Conduct related to other federal or state statutes/rule violations:*
      - (d) Abusing 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 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 Alexandra Maynard is SUSPENDED for 90 days, commencing five business days from the date this Order is signed. It is further ORDERED that within the first 30 days of the suspension, Alexandra Maynard is required to provide Board staff proof of completion of continuing education courses pre-approved by Board staff on the following subjects: Resident Rights in Nursing Homes, Communication with Cognitively Impaired Clients, and Anger in the Workplace.

DATED this \_\_\_\_ day of March, 2020

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

---

Kathleen Chinn, FNP-BC  
Board President

TO ALEXANDRA MAYNARD:

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**  
**Jason McIntosh, CRNA - PP** ) **SUSPENSION OF LICENSE**  
)  
**License No. 201604055CRNA-PP,** ) **Reference No. 20-00397**  
**201604054RN**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Registered Nurse Anesthetists. Jason McIntosh (Licensee) was issued a Certified Registered Nurse Anesthetist License/Certificate by the Board on June 15, 2016.

On or about September 4, 2019, the Board received information that Licensee altered anesthesia consent form and changed plan for anesthesia care for a sedated patient without his/her consent.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 85-045-0070(4)(a)(c)(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:

- (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:
    - (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 Certified Registered Nurse Anesthetist license of Jason McIntosh be SUSPENDED for 30 days, commencing five business days from the date this Order is signed by the Oregon State Board of Nursing.**

Licensee understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a serious nature and, if repeated, would constitute 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 Certified Registered Nurse Anesthetist.

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 Suspension.

\_\_\_\_\_  
Jason McIntosh, CRNA - PP

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF SUSPENSION**  
**Sonne Olsen, CNA** ) **OF NURSING ASSISTANT**  
 ) **CERTIFICATE BY DEFAULT FOR**  
 ) **FAILURE TO COOPERATE**  
**Certificate No. 201806862CNA** ) **Reference No. 20-00315**

---

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. Sonne Olsen (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on August 16, 2018.

This matter was considered by the Board at its meeting on March 11, 2020.

On January 28, 2020, 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 Sonne Olsen 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 16, 2018.
2. On or about September 24, 2019, CNA submitted a renewal application to the Board and disclosed being unable to perform Certified Nursing Assistant duties due to a mental health condition. The Board opened an investigation into the matter.

3. On November 18, 2019, Board staff requested that CNA sign a release of information with her medical and mental health providers and have the records forwarded to the Board by December 9, 2019. CNA failed to provide the requested information to the Board.
4. On December 19, 2019, Board staff mailed a letter to CNA requesting that she sign a release of information with her medical and mental health providers and have the records forwarded to the Board by January 2, 2020. CNA failed to provide the requested information to the Board.
5. January 10, 2020, Board staff mailed a letter to CNA requesting that she sign a release of information with her medical and mental health providers and have the records forwarded to the Board by January 24, 2020. CNA failed to provide the requested information to the Board
6. On January 28, 2020, 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.
7. 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, Sonne Olsen, 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 Sonne Olsen 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 Sonne Olsen has fully cooperated with the Board's investigation. Should the Board reinstate the Nursing Assistant Certificate of Sonne Olsen, the Certificate Holder would be subject to whatever terms and conditions the Board may impose.

DATED this \_\_\_\_ day of March, 2020

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

---

Kathleen Chinn, FNP-BC  
Board President

TO: SONNE OLSEN:

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**

**Dawn Osborne Watts**

**RN APPLICANT**

)

) **FINAL ORDER OF DENIAL OF**

) **REGISTERED NURSE LICENSE**

) **BY DEFAULT**

)

) **Reference No. 13-00653**

---

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurses. On or about July 17, 2012, the Board received a Registered Nurse Licensure by Examination Application from Dawn Osborne Watts (Applicant).

This matter was considered by the Board at its meeting on March 11, 2020.

On November 16, 2012, the Board issued a Notice of Proposed Denial of Registered Nurse License to Applicant. In the Notice, Applicant was notified for purposes of default that the Board would rely on the record herein if a request for hearing was not filed or was withdrawn. On January 17, 2013, the Board received a request for a contested case hearing from Applicant's attorney, Ransford B. McKenzie. On January 30, 2013, the Board referred the case to the Office of Administrative Hearings (OAH).

The OAH assigned the case to Senior Administrative Law Judge (ALJ) Joe L. Allen. The OAH scheduled a prehearing conference for April 26, 2013. On April 25, 2013, the OAH received a request for postponement from Mr. McKenzie, explaining that he had not yet complied with the process for seeking *pro hac vice* admission in Oregon. Presiding ALJ Mann denied the request and convened a prehearing conference on April 26, 2013. Assistant Attorney General (AAG) Joanna Tucker Davis represented the Board. Mr. McKenzie appeared.

Senior ALJ Allen convened another prehearing conference on June 28, 2013. Senior AAG Thomas Cowan represented the Board. Applicant appeared on her own behalf and explained that Mr. McKenzie was unable to comply with the *pro hac vice* admission requirements in Oregon. Senior ALJ Allen scheduled a hearing for January 14, 2014 and set filing deadlines for a motion for summary determination and response. To be timely, a motion for summary determination needed to be filed on or before September 2, 2013 and any response needed to be filed on or before September 16, 2013.

On August 27, 2013, the Board filed a Motion for Summary Determination (motion). Applicant filed a response to the motion on September 14, 2013. After the Board filed its motion, the OAH reassigned the matter to Senior ALJ Monica A. Whitaker. On October 15, 2013, ALJ Whitaker issued a ruling granting the Board's motion and a proposed order. Applicant was notified of her right to file exceptions with the Board within 10 days following the date of service of the Proposed Order. The Board did not receive exceptions from Applicant within

those 10 days.

At its Board meeting of November 20, 2013, the Board deliberated regarding the Proposed Order. The Board voted to accept the Proposed Order, the recommendation of ALJ Whitaker to deny Applicant's Licensure by Examination Applicant, and issue a Final Order. The Board had not made any changes to the Proposed Order that substantially modified the ALJ's proposed findings of historical fact or changes the ALJ's recommended outcome or basis therefore. The Board made changes to the Proposed Order to correct spelling, grammar, and/or textual placement.

On January 24, 2014, Applicant requested judicial review by filing a petition with the Oregon Court of Appeals. Applicant filed the briefs *pro se*.

On October 6, 2014, AAG Carolyn Alexander filed the brief for the Board.

On January 26, 2017, the Oregon Court of Appeals vacated the Board's November 20, 2013 Final Order and remanded the matter back to the OAH.

On February 14, 2020, the Board received a letter from Applicant withdrawing her request for a hearing stating she no longer wanted to pursue RN licensure in Oregon.

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 17, 2012, the Board received a Registered Nurse Licensure by Examination Application from Dawn Osborne Watts (Applicant).
2. On November 16, 2012, the Board issued a Notice of Proposed Denial of Registered Nurse License to Applicant. Applicant requested a hearing, which was set for January 14, 2014.
3. On August 27, 2013, the Board filed a Motion for Summary Determination (motion). Applicant filed a response to the motion on September 14, 2013.
4. On October 15, 2013, the Board's motion was granted and a Proposed Order was issued. Applicant was notified of her right to file exceptions. The Board did not receive exceptions from Applicant.
5. At its November 20, 2013 Board meeting, the Board voted to accept the Proposed Order to deny Applicant's Licensure by Examination Applicant and issue a Final Order.

6. On January 24, 2014, Applicant requested judicial review by filing a petition with the Oregon Court of Appeals. Applicant filed the briefs *pro se*.
7. On October 6, 2014, the Board filed their brief.
8. On January 26, 2017, the Oregon Court of Appeals vacated the Board's November 20, 2013 Final Order and remanded the matter back to the OAH.
9. On February 14, 2020, the Board received a letter from Applicant dated January 29, 2020 withdrawing her request for a hearing stating she no longer wanted to pursue RN licensure in Oregon. Applicant is now in default on the Notice and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

## II CONCLUSIONS OF LAW

1. That the Board has jurisdiction over Applicant, Dawn Osborne Watts, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of ORS 678.111(1)(c)(f) and OAR 851-045-0070(6)(e) and (7)(b)(f), which read as follows:

ORS 678.111 Causes for denial, revocation, 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.

(f) Conduct derogatory to the standards of nursing.

OAR 851-045.0070: Conduct Derogatory to the Standards of Nursing Defined

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

(6) Conduct related to licensure or certification violations:

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

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

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

(f) Conduct derogatory to the standards of nursing.

3. That Applicant defaulted on the Notice by withdrawing her request for a hearing, 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 Dawn Osborne Watts' Application for Registered Nurse Licensure by Examination is denied.

Dated this \_\_\_\_\_ day of March, 2020.

FOR THE OREGON STATE BOARD OF NURSING

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Kathleen Chinn, FNP-BC  
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**

**Cynthia Roraback, LPN (expired)**

)

) **FINAL ORDER OF DENIAL OF**

) **LICENSED PRACTICAL NURSE**

) **BY DEFAULT**

)

) **Reference No. 19-01271**

---

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 and Applicants. Cynthia Roraback (Applicant) received her Practical Nurse License on January 5, 2009, and it expired on February 27, 2018. Applicant submitted a reactivation application on February 13, 2019,

This matter was considered by the Board at its meeting on January 8, 2020.

On January 10, 2020, a Notice stating that the Board intended to deny the application for Practical Nurse License was sent to Applicant via certified and first-class mail to Applicant's address of record. The Notice alleged Applicant has never worked as an LPN since receiving her license and falsely attested that she had been practicing as an LPN throughout the time she was licensed.

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 February 27, 2018, Applicant's LPN license expired.
2. On or about February 13, 2019, Applicant submitted an application to reactivate her LPN license. On the application, Applicant attested she had last worked as an LPN while her license was expired and had last practiced on February 11, 2019.
3. On or about April 25, 2019, Board staff emailed Applicant and asked for information which would assist the Board in determining whether a civil penalty was warranted, and

if so, the amount of a potential civil penalty for working as an LPN without an active license.

4. On April 30, 2019, Applicant informed Board staff she had never worked as an LPN since receiving her nursing license and that she worked as a Surgical Technologist because she made more money.
5. On previous renewal applications dated February 10, 2010, February 16, 2012 and December 18, 2015, Applicant falsely attested that she had been practicing as an LPN throughout the time she was licensed.
6. On renewal applications dated December 18, 2015 and February 13, 2019, Applicant falsely attested that she had practice hour requirement necessary for renewal.
7. On January 8, 2020, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Licensed Practical Nurse License.
8. On January 10, 2020, Board staff mailed a Notice of Proposed Denial of Licensed Practical Nurse License 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, Cynthia Roraback, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of ORS 678.111(1)(c)(f), OAR 851-031-0006(2)(d) and OAR 851-045-0070(9)(a) and (10)(b) [*cert. effective 08/01/2017*] 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:

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

(f) Conduct derogatory to the standards of nursing.

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

(2) Limits on Eligibility:

(d) If the applicant falsifies an application, supplies misleading information or withholds information, such action may be grounds for denial or revocation.

**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:

**(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.

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 Reactivation Application for Practical Nurse License is denied.

Dated this \_\_\_\_\_ day of March 2020

FOR THE OREGON STATE BOARD OF NURSING

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Kathleen Chinn, FNP-BC  
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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Zulema Saenz, CNA** ) **VOLUNTARY SURRENDER**  
)  
**Certificate No. 200810206CNA** ) **Reference No. 20-00863**

---

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. Zulema Saenz (Certificate Holder) was issued a Certified Nursing Assistant Certificate (CNA) by the Board on January 28, 2008.

On or about February 23, 2018, CNA made application to the Board for reactivation of her Nursing Assistant certificate following successful completion of a Nursing Assistant course. In her application, CNA disclosed she was arrested for two DUII's, one on February 6, 2011 and another on January 1, 2018.

On or about June 21, 2018, CNA successfully completed a court-ordered substance use treatment program.

CNA has a diagnosis which meets the Board's criteria for monitoring.

On March 13, 2019 the Board approved a signed Stipulated Order for Probation of CNA's Certified Nursing Assistant Certificate for a period of twenty-four months of monitored practice.

Certificate Holder has been compliant with her probation agreement, however CNA has not been able to secure a job due to her inability to clear the background check for the two DUII's.

CNA requested on 2/18/20 that they be allowed to Voluntarily Surrender their CNA certificate.

By the above actions, CNA is subject to discipline pursuant to . . .

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

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

(c) Impairment as defined in ORS 676.303.

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

**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:

- (a) Failing to conform to the essential standards of acceptable and prevailing nursing assistant performance of duties. Actual injury need not be established;
- (10) Conduct related to the certification holder's relationship with the Board;
- (d) Violating the terms and conditions of a Board order.

CNA wishes to cooperate with the Board in this matter and voluntarily surrender their Certified 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 Certified Nursing Assistant certificate of Zulema Saenz be accepted. If, after a minimum of three years, Ms. Saenz wishes to reinstate their Certified Nursing Assistant certificate, Zulema Saenz 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, **Zulema Saenz** waives 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.

\_\_\_\_\_  
Zulema Saenz, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Heidi Servo, RN** ) **PROBATION**  
)  
**License No. 200542224RN** ) **Reference No. 20-00491**

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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. Heidi Servo (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on September 12, 2005.

On or about November 29, 2019, the Board received information that Licensee had taken narcotics out of a coworkers purse without permission. An investigation was opened into the matter.

On December 6, 2019, Licensee underwent a substance use evaluation and engaged in the recommended treatment.

In an interview with Board staff on December 16, 2019, Licensee admitted that in September of 2019, while working as a Registered Nurse, she had taken narcotics from a coworker's purse for personal use without permission.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(8)(k)(l) which reads as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

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

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:

(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;

(l) Unauthorized removal or attempted removal of medications, supplies, property, or money from anyone in the work place;

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 Heidi Servo 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:

\_\_\_\_\_  
Heidi Servo, RN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

)

**In the Matter of** ) **FINAL ORDER OF REVOCATION**  
**Lorena Seunninga, RN** ) **BY DEFAULT**  
**AKA: Lorena “Rena” Carlin** )  
)  
)  
**License No. 200842244RN** ) **Reference No. 19-01032**

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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. Lorena Seunninga (Licensee) was issued a Registered Nurse license by the Board on August 04, 2008.

This matter was considered by the Board at its meeting on March 11, 2020.

On February 14, 2020, a Notice stating that the Board intended to revoke the Registered Nurse license of Lorena Seunninga was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee was arrested for and convicted of Driving Under the Influence of Intoxicants, failing to report the arrest and conviction, and failing to fully 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 04, 2008.
2. On or about March 09, 2018, Licensee was arrested for Driving Under the Influence of Intoxicants (DUII). As a result, Licensee was convicted of DUII on June 05, 2018. On July 01 and August 13, 2019, Licensee was cited both times for Driving While

Suspended and Failure To Install an Ignition Interlock Device and subsequently convicted of all four violations.

3. On or about January 25, 2019, the Board received a Registered Nurse license renewal application from Licensee on which they untruthfully responded “No” to the following question on that application: “Other than a traffic ticket, since the date of your last renewal, have you been arrested, cited, or charged with an offense that has not been previously investigated by the Board?”
4. On or about June 05, 2018, Licensee was convicted of DUII; however, they failed to report this criminal conviction to the Board within 10 days of the conviction.
5. On or about December 18, 2019, Board staff emailed and mailed a letter to Licensee’s addresses of record requesting that they schedule an interview and provide certain documents. On January 02, 2020, Board staff mailed a second letter to Licensee’s address of record, requesting that they contact the Board within five (5) business days to schedule an interview and provide certain documents. Licensee failed to schedule an interview and did not provide the requested documents.
6. On February 14, 2020, 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, Lorena Seunninga, and over the subject matter of this proceeding.
2. That Licensee’s conduct is in violation of ORS 678.111(1)(a)(c)(f)(g) and OAR 851-045-0070(1)(a)(b), (7)(c), (8)(w), (9)(a), (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.*

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

- (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;*
  - (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.*
- (8) Conduct related to other federal or state statute or rule violations:*
  - (w) Failure to report to the Board the licensee's conviction of a misdemeanor or a felony crime within 10 days of the conviction.*
- (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;*

- 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 Lorena Seunninga is REVOKED.

DATED this \_\_\_\_ day of March, 2020

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

---

Kathleen Chinn, FNP-BC  
Board President

TO LORENA SEUNNINGA:

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**  
**Ava Walker, LPN** ) **PROBATION**  
)  
**License No. 201609062LPN** ) **Reference No. 19-01350**

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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. Ava Walker (Licensee) was issued a Licensed Practical Nurse License by the Oregon State Board of Nursing on November 7, 2016.

On or about May 8, 2019, the Board received information that Licensee had allegedly used methamphetamines and heroin. It was also reported that the licensee was reported to Child Protective Service for allegedly neglecting or abusing her minor children. Board staff conducted an interview with the Licensee where she admitted to suffering from mental health issues following the separation of her marriage. Licensee admitted to using methamphetamines and heroin once during this time. In an interview with the treatment provider of the Licensee on January 21, 2020, it was found after a hair analysis was completed in early January 2020, the Licensee had used methamphetamines within the last 90 days.

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

**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:

(b) Gross incompetence or gross negligence of the licensee in the practice of nursing at the level for which the licensee is licensed.

(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:

(1) Conduct related to the general fitness to practice nursing:

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

- (2) Conduct related to achieving and maintain 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:
  - (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 Licensed Practical Nurse license of Ava Walker 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:

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Ava Walker, LPN

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Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kathleen Chinn, FNP-BC  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE