BEFORE THE OREGON  
STATE BOARD OF NURSING

In the Matter of  
Jueth Atigbi-Hansen, NP  
License No. 201703946NP-PP,  
201703945RN  
) STIPULATED ORDER FOR PROBATION  
) FOLLOWED BY SUSPENSION  
) Reference No. 20-00964

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners. Jueth Atigbi-Hansen (Licensee) was issued a Nurse Practitioner license by the Board on June 2, 2017.

Between December 2017 and March 2020, Licensee prescribed controlled substances on at least 50 dates to a physician mentor co-worker (hereinafter “patient/co-worker”) without appropriate documentation of vital signs, holistic care, weight management, preventative screening, physical examinations coordination of care, the origin of chronic medical problems, laboratory tests, review of previous providers’ medical records, all conditions that were being treated (some which were related to chronic pain), and the rationales for the chosen treatments.

Between December 2017 and March 2020, Licensee failed to establish or maintain professional boundaries with the above-mentioned patient/co-worker by having both personal and professional relationships with them and prescribing controlled substances on at least 24 dates to a person Licensee knew to be the spouse of the above-mentioned patient/co-worker.

Between December 2017 and March 2020, Licensee used the self-assessment and diagnosis of the above-mentioned patient/co-worker as the basis for the provision for some or all of the above-mentioned provided medical care.

Between September 2017 and April 2020, Licensee held a position in a hospital which involved the prescribing of schedule II medication refills. These medications were initially prescribed by the patients’ primary care providers, not Licensee; however, Licensee did not establish or maintain the competency necessary to safely perform the assignment.

Between November 2017 and February 2020, Licensee prescribed refills of controlled substance medications multiple times to three patients other than the above-mentioned patient/co-worker; however, failed to document any contact with those other patients at least every three months for multiple periods of time.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(b)(f)(g) and OAR 851-045-0070(2)(a)(c), (3)(a)(b)(f), (4)(c)(C), (11)(c) and OAR 851-056-0016(2)(g)(i) and OAR 851-056-0026(6)(c)(d) which provide as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation,
reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(b) Gross incompetence or gross negligence of the licensee in the practice of nursing at the level for which the licensee is licensed.
(f) Conduct derogatory to the standards of nursing.
(g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
(c) Accepting an assignment when individual competency necessary to safely perform the assignment have not been established or maintained.
(3) Conduct related to the client’s safety and integrity:
(a) Developing, modifying, or implementing policies that jeopardize client safety;
(b) Failing to take action to preserve or promote the client’s safety based on nursing assessment and judgment;
(f) Assuming duties and responsibilities within the practice of nursing when competency has not been established or maintained;
(o) Failing to establish or maintain professional boundaries with a client;
(4) Conduct related to communication:
(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;
(11) Conduct related to advanced practice nursing:
(c) Using self-assessment and diagnosis as the basis for the provision of care which would otherwise be provided by a client’s professional caregiver;

OAR 851-056-0016 Conduct Derogatory to the Standards for Prescriptive or Dispensing Authority
(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:
(g) Prescribing, dispensing, administering, or distributing drugs in an unsafe or unlawful manner or without adequate instructions to the client according to acceptable and prevailing standards or practice;
(i) Failure to properly assess and document client assessment when prescribing, dispensing, administering, or distributing drugs;

**OAR 851-056-0026 Rules Relating to Controlled Substances**

(6) Intractable or chronic pain management:

(c) APRNs must have a complete discussion with the patient or person authorized to make health care decisions for the patient regarding the diagnosis, as well as the risk, benefits, alternatives, side effects, and potential for addiction and withdrawal of the controlled substance, along with any other applicable precautions. These discussions must be documented in the patient record. Documentation must include a plan for period review of patient response and follow-up.

(d) APRNs shall document patient use of controlled substances for chronic or intractable pain, including history and assessment to rule out substance abuse. Evidence of patient addiction or abuse requires referral and/or transfer of care for further diagnosis and treatment.

The Board finds, and Licensee neither admits nor denies, that the above allegations occurred and constitute violations of the Nurse Practice Act. Licensee acknowledges the concerns of the Board and prior to entering this order obtained additional education related to all subject matters and wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Board and is agreed to by Licensee:

**That the Nurse Practitioner license of Jueth Atigbi-Hansen of be placed on Probation.**

The Licensee’s compliance with this agreement will be monitored by the Board 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 Nurse Practitioner. 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 Licensee is competent. Limited overtime may be approved on occasion. **Commencing five business days from the date Licensee successfully completes probation, the Nurse Practitioner license of Jueth Atigbi-Hansen is SUSPENDED for 90 days.**

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 acceptance of this Stipulated 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 Oregon Nurse Practitioner license.

5) For the first six (6) months of probation, Licensee shall not prescribe any schedule II
medications nor shall they prescribe any of the following types of schedule III medications: opioids, benzodiazepines, sedatives, and hypnotics.

6) Licensee shall inform Board staff in advance of any absences from Oregon longer than 10 days and/or move from Oregon to another licensing jurisdiction. If Licensee leaves the State and is unable to practice in the State of Oregon, Licensee’s probationary status will be re-evaluated.

7) 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.

8) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether a felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.

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

10) 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. The employer will receive a copy of this Stipulated Order when Licensee is employed.

11) 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.

12) The supervising LIP shall perform a random audit of 10% of Licensee’s client records each month for the first six months, and once every three months thereafter. The audit shall include an evaluation of Licensee’s practice with regards to management of patients, medication management and prescribing, professional boundaries and documentation. All audits shall be part of the supervising LIP’s report to the Board.

13) Between quarterly reporting periods, the supervising LIP or a person designated by Licensee’s employer, shall inform Board staff of any instance of the Licensee’s non-compliance with the terms and conditions of this Stipulated Order, or of any other concern there may be regarding Licensee’s work-related conduct or personal behavior that may affect
Licensee’s ability to practice.

14) Licensee shall notify Board staff when there is a change in status of employment including resignations or terminations. Licensee and supervising LIP shall immediately notify the Board if the supervising LIP is unable to supervise as agreed upon.

15) Licensee and the supervising LIP shall meet no less frequently than twice a month for the first six (6) months, and no less frequently than once per month for the final six (6) months.

16) Licensee shall not work in any practice setting in which on-site monitoring is not available. This generally includes home health agencies, traveling agencies, nursing float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside of acute care settings.

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

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

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

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

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

Licensee also understands that in the event Licensee engages in future conduct resulting in violations of the law or terms of probation the Board may take further disciplinary action against Licensee’s license(s), up to and including revocation of Licensee’s license(s) to practice.

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

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

Licensee understands that this Stipulated Order is a public record.

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

IT IS SO AGREED:

__________________________  ____________________________
Jueth Atigbi-Hansen, NP       Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

__________________________  ____________________________
Kathleen Chinn, FNP-BC        Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of ) STIPULATED ORDER FOR
Susanne Benthin, RN ) PROBATION

License No. 095006618RN ) Reference No. 20-01178

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Susanne Benthin (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on August 3, 1995.

On or about June 3, 2020, the Board received information that Licensee while working at Columbia Memorial Hospital infusion center, was alleged to have given incomplete information to a physician after a triaged phone call from a primary care giver requesting a patient consult, called an incorrect medication refill for a patient to a pharmacy, failed to ensure oxygen was connected to a patient at the correct rate, and applying a blood pressure cuff to an upper extremity in which the patient was receiving a blood transfusion causing a hematoma.

On July 28, 2020 Licensee was charged with a DUII, Reckless Driving, Recklessly Endangering, Hit and Run Vehicle-Property, and Animal Abuse and is pending a court appearance. On May 15, 2021 Board Licensee completed a third-party drug and alcohol evaluation receiving a diagnosis of substance use disorder and agrees on a period of monitoring.

By the above actions, Licensee is subject to discipline pursuant to ORS 687.111(1)(f) and OAR 851-045-0070 (2)(a) (3)(b)(4)(f) (7)(a)(c)

STATUTES AND RULES RELATED TO THIS CASE
ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended, or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070
Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
(3) Conduct related to the client’s safety and integrity:
(b) Failing to take action to preserve or promote the client’s safety based on nursing assessment and judgment;
(4) Conduct related to communication:
(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;
(7) Conduct related to impaired function:
(a) Practicing nursing when unable or unfit due to:
(c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice of nursing.

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

That the Registered Nurse License of Susanne Benthin 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 drug testing program. Failure to comply with random urine, blood, hair, nail, 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 a substance use disorder evaluation by a Board approved third party 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:

__________________________  ____________________________
Susanne Benthin, RN                  Date
ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kathleen Chinn, FNP-BC
Board President

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of               ) STIPULATED ORDER FOR
Melanie Estes, RN              ) PROBATION

License No. 200940437RN       ) Reference No. 20-00492

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Melanie Estes (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on March 5, 2009.

On or about November 1, 2019, the Board received information that Licensee resigned in lieu of termination for multiple narcotic discrepancies, behavior changes, and practice concerns. Licensee was suspended by the Board for failing to cooperate with the Boards investigation.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(7)(a)(B), and (10)(a) and (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:
(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:
(a) Practicing nursing when unable or unfit due to:
(B) Psychological or mental impairment as evidenced by documented deterioration of functioning in the practice setting or by the assessment of an LIP qualified to diagnose mental conditions or status.

(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;
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 Melanie Estes 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 maintain a relationship with a psychiatrist whom will manage Licensees medication. A quarterly report from psychiatrist will be provided to the Board stating the Licensee is maintaining a relationship with provider, engaged in psychotherapy, and actively participating in medication management. A Release of Information will be provided to the Board for this provider.

18) Licensee shall participate in the Board’s random drug testing program. Failure to comply with random urine, blood, hair, nail, 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 a substance use disorder evaluation by a Board approved third party 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:

______________________________    ______________________________
Melanie Estes, RN                          Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

______________________________    ______________________________
Kathleen Chinn, FNP-BC                  Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of)
Wideline Fervil)

FINAL ORDER OF DENIAL OF)
REGISTERED NURSE LICENSE)
BY DEFAULT)

License No. RN Applicant)

Reference No. 21-00681)

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Wideline Fervil (Applicant) applied for a Registered Nurse License in the state of Oregon on or about January 26, 2021.

This matter was considered by the Board at its meeting on June 16, 2021.

On March 18, 2021, a Notice stating that the Board intended to deny the application for Registered Nurse was sent to Applicant via certified and first-class mail to Applicant’s address of record. The Notice alleged that Applicant was dishonest in the application process and failed to cooperate with the Board’s investigation.

The Notice granted Applicant an opportunity for hearing if requested within sixty (60) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board’s file on this matter as the record for purposes of default.

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

I
FINDINGS OF FACT

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

1. Applicant failed to answer questions asked by the Board truthfully on Applicant’s January 26, 2021, application. Applicant answered “No” to the following question: “Have you ever been found in violation of any state or federal law, rule, or practice standard regulating a health care profession? Include any pending investigations.” On December 29, 2020, the Colorado Department of Regulatory Agencies issued a Denial of Initial License to Applicant for failing to meet the initial requirements of a license.
2. Applicant failed to provide the Board with requested documents. On or about February 9, 2021, Board staff mailed a letter to Applicant’s address of record requesting that she schedule an interview. Applicant was further instructed to send a written statement. Applicant provided a written statement to the Board via email, but failed to schedule an interview.

3. Applicant failed to provide the Board with requested documents. On or about February 25, 2021, Board staff emailed a letter to Applicant’s email address of record requesting that she schedule an interview. Applicant failed to schedule an interview.

4. On March 17, 2021, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Registered Nurse.

5. On March 18, 2021, Board staff mailed a Notice of Proposed Denial of Registered Nurse to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

II CONCLUSIONS OF LAW

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

2. That Applicant’s conduct is in violation of ORS 678.111(1)(c)(f)(g) and OAR 851-045-0070(1)(b), (9)(a) and (10)(a)(b) which reads as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(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;
(b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
(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;

3. That Applicant defaulted on the Notice by not requesting a hearing within the allotted sixty (60) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

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

ORDERED that the Application for Registered Nurse is denied.

Dated this ___________ day of June, 2021

FOR THE OREGON STATE BOARD OF NURSING

___________________________________________________________
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  ) STIPULATED ORDER FOR
Anne Heenan, NP  ) PROBATION

Reference No. 20-01081

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses and Nurse Practitioners. Anne Heenan (Licensee) was issued a Nurse Practitioner License by the Oregon State Board of Nursing on June 15, 2000. Licensee was issued her Registered Nurse license on June 15, 2000.

On or about April 27, 2020, Licensee was reported to the Board for alleged overdose of Xanax medication and an illegal substance. The Board opened an investigation.

During the course of an investigation, it was learned that Licensee had written a Xanax prescription for a former family member on one occasion weeks earlier. This medication was used during the April 27, 2020 overdose; a suicide attempt made during a mental health crisis. Since April 2020, Licensee has engaged in significant mental health therapy and reports having stabilized.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(1)(a), (7)(c), (8)(k) and OAR 851-056-0016(1) and (2)(b)(e) 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:
(1) Conduct related to general fitness to practice nursing:
(a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior;
(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.

Page 1 of 5 - Stipulated Order for Probation; 20-01081
(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.

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

(1) The Board may deny, suspend or revoke the authority to write prescriptions and/or dispense drugs for the causes identified in ORS 678.111(1) or with proof that the authority has been abused.
(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:
   (b) Prescribing, dispensing, administering, or distributing drugs for other than therapeutic or prophylactic purposes;
   (e) Prescribing, dispensing, or distributing drugs for personal use.

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 Nurse Practitioner License of Anne Heenan 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 Nurse Practitioner. Licensee must practice a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where Licensee is able to exercise the full extent of scope of duties in order to demonstrate whether or not Licensee is competent. Limited overtime may be approved on occasion.

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

1) Licensee shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.

2) Licensee shall have thirty-six (36) months from Board acceptance of this Stipulated Order to complete twenty-four (24) months of monitored practice. Licensee may petition the Board for early termination of Probation after demonstrating successfully completing 12 months of continuous compliance with the terms and conditions of this Stipulated Order for Probation.

3) Licensee shall notify Board staff, in writing, prior to any change of address or employment setting, during the probation period.

This includes changes of the employer itself or changes within the facility or institution. Licensee shall work under the observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working for the same employer, is readily available to monitor Licensee’s practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training.
4) 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.

5) Licensee shall be subject to random, un-scheduled virtual video visits by her monitor once weekly for the first month and then up to three times per month, per employer, thereafter. Licensee shall make herself available by telephone or electronic means during work hours to peers and supervisors for consultation and status check ins.

6) Licensee agrees that she will not work in a non-telehealth nursing setting during the time of probation.

7) Licensee may not write any prescriptions to family or friends, including N.G.

8) The Board will continue to review Licensee’s prescription writing history using the Oregon Prescription Drug Monitoring Program during her period on Probation. Licensee has an obligation to cooperate with the Board regarding any follow up questions they may have.

9) Licensee shall maintain an active license.

10) Licensee shall inform the Board in advance of any absences from Oregon and/or move from Oregon to another licensing jurisdiction. If licensee leaves the State and is unable to practice in the State of Oregon, Licensee's probationary status will be reevaluated.

11) 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.

12) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether a felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.

13) 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.

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

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

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

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

18) Licensee agrees to comply with recommendations made by her provider and upon completion will provide a discharge summary to the Board. Licensee’s current treatment provider will provide status updates to the Board on a monthly basis.

19) Licensee shall participate in the Board’s random drug testing program. Failure to comply with random urine, blood, hair, nail, 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 a substance use disorder evaluation by a Board approved third party 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.

20) Licensee shall abstain from the use of intoxicating, mind altering, or potentially addictive drugs, both over-the-counter and prescription drugs, and alcohol while participating in the Board’s random urine drug testing program except as provided in section 21 below. Licensee shall avoid any over the counter products and food items containing alcohol, marijuana and poppy seeds.

21) Licensee may take medication for a documented medical condition, provided that Licensee obtains such medication only by a legal prescription written for Licensee 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.

22) Licensee shall cease practicing as a nurse if there are concerns about Licensee’s ability to practice safely or at the request of Board staff. Practice may resume when approved by Board staff, in consultation with Licensee’s employer and/or mental health therapist/psychiatrist.

23) Licensee agrees to provide the Board with the names of any healthcare providers, sign releases of information with the providers, and provide the Board with documentation of the healthcare provided (medical records). Licensee is financially responsible for any costs incurred as a result of compliance with the terms and conditions of the Stipulated Order.

24) Licensee shall notify the Board at least three (3) business days prior if they are outside the
area of the collection site.

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

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

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

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

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

Licensee understands that this Stipulated Order is a public record.

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

IT IS SO AGREED:

____________________________________  __________________________
Anne Heenan, NP                        Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

____________________________________  __________________________
Kathleen Chinn, FNP-BC                  Date
Board President
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Alicia Hills, RN

License No. 200341250RN

) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER

) Reference No. 21-00202

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Alicia Hills (Licensee) was issued a Registered Nurse License by the Board on July 7, 2003.

On or about September 8, 2020, Licensee was reported to the Board for ongoing failure to document in an accurate and timely manner. The Board received two additional complaints in September 2020 and March 2021 reporting that Licensee’s continued failure to complete documentation timely was causing patient care issues as well as financial implications for the Clinic.

Licensee was issued a Notice of Proposed Suspension of RN License for failure to cooperate on or about January 20, 2021. Licensee failed to respond to the Notice of Proposed Suspension of RN license within the required twenty (20) days and was issued a Notice of Suspension by Default on or about February 17, 2021. Licensee violated the Board’s Order by continuing to work with a suspended RN license for 4 days on February 23, 24, 25, and March 4, 2021.

Licensee acknowledged the allegations and wishes to surrender her Registered Nurse Licensee.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f), OAR 851-045-0070 (2)(a)(3)(b)(c)(4)(a)(b)(10)(a)(c) and (d), which read as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case: (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes: (f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to: (2) Conduct related to achieving and maintain clinical competency: (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice.
Actual injury need not be established.

(3) Conduct related to the client’s safety and integrity:
   (b) Failing to take action to preserve or promote the client’s safety based on nursing assessment and judgment;
   (c) Failing to develop, implement or modify the plan of care;

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

(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;
   (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 Alicia Hills be accepted. If, after a minimum of three years, Ms. Hills wishes to reinstate their Registered Nurse license, Alicia Hills 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, Alicia Hills 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.

__________________________________________________________________________  ______________________________________________________________________
Alicia Hills, RN                                      Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

__________________________________________________________________________
Kathleen Chinn, FNP-BC                                      Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Sarah Kinzey, RN

)( STIPULATED ORDER FOR
)( REPRIMAND OF LICENSE
)(

License No. 201601071RN
Reference No. 21-00474

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse License. Sarah Kinzey (Licensee) was issued a Registered Nurse License by the Board on February 17, 2016.

On or about November 20, 2020, the Board received information that Licensee failed to provide a sexual assault exam, HIV prophylaxis information and education, and provided Plan B without acquiring a negative pregnancy test to a patient in the emergency department, and documentation at the Bay Area Hospital on November 2, 2020.

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

STATUTES AND RULES RELATED TO THIS CASE
ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070
Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
(3) Conduct related to the client’s safety and integrity:
(b) Failing to take action to preserve or promote the client’s safety based on nursing assessment and judgment;
(c) Failing to develop, implement or modify the plan of care;
(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;
(4) Conduct related to communication:
(a) Failure to accurately document nursing interventions and nursing practice implementation;
(b) Failure to document nursing interventions and nursing practice implementation in a timely, accurate, thorough, and clear manner. This includes failing to document a late entry within a reasonable time period;
(c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
(C) Failing to document information pertinent to a client’s care;

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 Sarah Kinzey be Reprimanded with the condition to complete the following education by June 15 2021:

NCSBN:
Documentation: A Critical Aspect of Client Care
Professional Accountability & Legal Liability for Nurses
Ethics of Nursing Practice

SATF:
SANE Connect (Refresher Course)

Trauma-Informed Oregon:
Trauma-Informed Care Basics

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.

Sarah Kinzey, RN  
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kathleen Chinn, FNP-BC  
Board President  
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of Grace Koch, RN
License No. 000036824RN

STIPULATED ORDER FOR VOLUNTARY SURRENDER

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Grace Koch (Licensee) was issued a Registered Nurse License by the Board on September 07, 1976.

On or about January 27, 2017, the Board received information from a family member, alleging that Licensee had engaged in disruptive and verbally abusive behavior regarding the care of her elderly parents.

It was also reported that Licensee interfered with the ability of her parents’ healthcare team to provide care, and attempted to direct the caregivers in their duties without medical authority. Licensee denied the allegations and maintained that she was providing necessary and appropriate care for her parents, and stated that the problems in the home were caused by her brother, or were just false. However, Licensee agreed to discontinue physical contact with her parents, and would not be included in their medical care going forward.

On June 13, 2018, the Board placed Licensee on 24 months of probation, and gave her 36 months to obtain the quarterly reports needed to successfully complete probation. A series of unfortunate events such as the southern Oregon wildfires, the pandemic, surgery, and treatment for a major health illness have kept Licensee from finding, and then retaining employment. As a result, Licensee has reached the end of the allowed 36 month period with neither the work hours to renew her license, nor the needed quarterly reports to complete probation. Licensee has decided to voluntarily surrender her license to concentrate on her health.

By the above actions, Licensee is subject to discipline pursuant to ORS 678-111 (1)(f) and OAR 851-045-0070 (10)(d), which reads as follows:

ORS 678-111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed by ORS chapter 183 for a contested case: (1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such conditions as the Board may impose or may be issued a limited license or may be reprimanded or censured by the Board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

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

(1) 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 Grace Koch be accepted.**
If, after a minimum of three years, Ms. Koch wishes to reinstate their Registered Nurse license, Grace Koch 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, **Grace Koch** 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.

Grace Koch, 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
Roxanne Kokkeler, RN

License No. 095006812RN

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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. Roxanne Kokkeler (Licensee) was issued a Registered Nurse License by the Board on September 15, 1995.

This matter was considered by the Board at its meeting on May 19, 2021.

On May 21, 2021, a Notice stating that the Board intended to Revoke the Registered Nurse License of Roxanne Kokkeler was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee was reported to the Board for unprofessional conduct in front of a patient. Licensee had allegedly yelled and used foul language several times in front of a Home Health patient. It was also alleged that Licensee failed to report to the supervisor or provider a patient's change in condition. The Board opened an investigation into the matter.

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

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

-I-

FINDINGS OF FACT

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

1. Licensee was issued a Registered Nurse License in the state of Oregon on September 15, 1995.

2. On or about May 3, 2021, Licensee contacted Board staff via e-mail and wrote that she had quit nursing and that she would not be providing any of the documents Board staff had requested for this investigation. In addition, Licensee wrote that she refused to
meet with Board staff to complete the investigation. This is in violation of: ORS 678.111(1)(f) and OAR 851-045-0070(9)(b)(10)(a)(b)(c).

3. The Board alleges that on or about May 3, 2021, Board staff discovered that Licensee’s RN license had expired on February 26, 2020. According to HR records from Licensee’s employer, she had applied for employment in December, 2020, and was subsequently hired. Licensee resigned from her position in April, 2021. Licensee has been practicing nursing on an expired license since February 26, 2020. This is in violation of: ORS 678.111(1)(f) and OAR 851-045-0070(9)(b).

4. On May 21, 20_, 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, Roxanne Kokkeler, and over the subject matter of this proceeding.

2. That Licensee’s conduct is in violation of ORS 678.111(1)(f) and OAR 851-045-0070(9)(b)(10)(a)(b)(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:

(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:

(9) Conduct related to licensure or certification violations:

(b) Practicing nursing without a current Oregon license or certificate.
(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, waive 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 Roxanne Kokkeler is REVOKED.

DATED this _____ day of June, 2021

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

_______________________________
Kathleen Chinn, FNP-BC
Board President
TO: ROXANNE KOKKELER:

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  
Justine Kuunifaa, LPN  
License No. 201501182LPN  

) STIPULATED ORDER FOR  
REPRIMAND OF LICENSE  
) Reference No. 21-00281

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Practical Nurse Licenses. Justine Kuunifaa (Licensee) was issued a Practical Nurse License by the Board on February 27, 2015.

On or about September 14, 2020, Licensee disclosed on his renewal application he had been arrested on January 8, 2020 for an alleged crime of Criminal Mistreatment and two counts of Assault in the Fourth Degree for an incident on October 21, 2019, involving his five-year-old daughter. Licensee said his daughter received scratches while rubbing her head on a bedroom door in an attempt to open it. Makeup was applied to the daughter’s face in an effort to conceal her injuries.

On March 3, 2021, Licensee pled guilty to Criminal Mistreatment in the First Degree, a felony, in Multnomah County Circuit Court. The plea document acknowledged that he, “unlawfully and knowingly caused physical injury” to his daughter. In an interview with Board staff on May 6, 2021, Licensee denied hitting his daughter.

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

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(a) Conviction of the licensee of crime where such crime bears demonstrable relationship to the practice of nursing. A copy of the record of such conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.
(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

(1) Conduct related to general fitness to practice nursing:
(a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior.
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 Practical Nurse License of Justine Kuunifaa be reprimanded.

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

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

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

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

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

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

_________________________________________  __________________________
Justine Kuunifaa, LPN                              Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

_________________________________________  __________________________
Kathleen Chinn, FNP-BC                              Date
Board President

Page 2 of 2 - Stipulated Order for Reprimand; 21-00281
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of ) STIPULATED ORDER FOR
Monica Mayer, RN ) CIVIL PENALTY
 )
License No. 200041395RN ) Reference No. 21-00774

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Monica Mayer (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on November 14, 2000.

On or before October 2, 2019, Licensee should have renewed her Registered Nurse license. Licensee failed to timely renew, and the license expired on October 3, 2019.

From the date Licensee’s license expired on October 3, 2019, until the date the license was renewed, Licensee continued to practice nursing in Oregon.

On March 5, 2021, Board staff sent a notification letter informing the Licensee of a potential civil penalty for practicing nursing without a current license. At that time, the Board requested additional information from Licensee on which to base the assessment (dollar amount) of the civil penalty.

On March 29, 2021, the Board received substantiated information from Licensee establishing that she had practiced nursing a minimum of 275 days between the dates of October 3, 2019, and February 5, 2021, when Licensee discovered that her license had expired.

By the above actions, Licensee has violated ORS 678.021, which provides as follows:

**ORS 678.021 License required to practice nursing.**

It shall be unlawful for any person to practice nursing or offer to practice nursing in this state or to use any title or abbreviation, sign, card or device to indicate the person is practicing either practical or registered nursing unless the person is licensed under ORS 678.010 to 678.410 at the level for which the indication of practice is made and the license is valid and in effect.

The foregoing is grounds for imposing a civil penalty pursuant to ORS 678.117 and OAR 851-045-0100(2)(a) which provide as follows:
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 678.445 or any rule of the board. No civil penalty shall exceed $5,000.
(2) In imposing a penalty pursuant to this section, the board shall consider the following factors:
   (a) The past history of the person incurring the penalty in observing the provisions of ORS 678.010 to 678.445 and the rules adopted pursuant thereto.
   (b) The economic and financial conditions of the person incurring the penalty.
(3) Any penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the board considers proper and consistent with the public health and safety.
(4) Civil penalties under this section shall be imposed as provided in ORS 183.745.
(5) All penalties recovered under this section shall be credited to the special account described in ORS 678.170.

OAR 851-045-0100 Imposition of Civil Penalties
(2) Civil penalties may be imposed according to the following schedule:
   (a) Practicing nursing as a Licensed Practical Nurse (LPN), Registered Nurse (RN), Nurse Practitioner (NP), Certified Registered Nurse Anesthetist (CRNA) or Clinical Nurse Specialist (CNS) without a current license or certificate or Board required concurrent national certification; or prescribing, dispensing, or distributing drugs without current prescription writing authority, due to failure to renew and continuing to practice: $50 per day, up to $5,000.

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:

Based on the evidence, Licensee was practicing nursing without a current license a minimum of 275 days between the dates of October 3, 2019, and February 5, 2021, equaling a total civil penalty of $13,750.00.

That the Board impose a civil penalty against Licensee in the amount of $5,000.00.

Licensee admits that the above statements are accurate and that Licensee’s actions constitute a violation of the Nurse Practice Act.

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

Licensee shall make monthly payments of not less than $210.00 in any one payment, the first payment is to be received by the Board within twenty (20) days from the date Licensee’s signature on this Stipulation and thereafter, a payment on the 15th day of every month until the whole sum is paid. 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.

_________________________________________  
Monica Mayer, RN  
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

_________________________________________  
Kathleen Chinn, FNP-BC  
Board President  
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of Iris McCanless, RN ) STIPULATED ORDER FOR
License No. 201404565RN ) REPRIMAND OF LICENSE
 ) Reference No. 21-00312

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse License. Iris McCanless (Licensee) was issued a Registered Nurse License by the Board on July 15, 2014.

On or about October 08, 2020, the Board received information that Licensee was subject to employment action for boundary violations.

On November 24, 2020, Licensee met with Board staff and discussed the case. Licensee shared she had played small in-person games with the resident involving touch such as “brain sucker”, she sat with him in a lounge room at night when he had difficulty sleeping, and allowed him to touch her head and arms and had touched his knee and arms during conversations. She acknowledged the resident had given her an unreciprocated hug after she referenced the anniversary of her father’s death.

On March 26, 2021, Licensee met with Board staff for a follow-up interview. During the interview Licensee acknowledged she had failed to maintain professional boundaries but did not have an inappropriate relationship with the resident. Board staff reviewed all CCTV footage and interview notes. There is a preponderance of evidence that boundary violations occurred. There is not sufficient evidence that Licensee had an inappropriate relationship with the resident.

Licensee completed National Council of State Boards of Nursing educational courses:
Professional Boundaries in Nursing
Righting a Wrong – Ethics and professionalism in Nursing

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the Board may impose or may be issued a limited license or may be reprimanded or censured by the Board, 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:

(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:
(o) Failing to establish or maintain professional boundaries with a client;

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 Iris McCanless 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.

Iris McCanless, RN
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kathleen Chinn, FNP-BC
Board President
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Jennifer Muller, NP

License No. 201800202NP-PP, 092007161RN

) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER
) Reference No. 20-00254

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners and Registered Nurses. Jennifer Muller (Licensee) was issued a Nurse Practitioner License by the Board on January 12, 2018.

On or about September 3, 2019, the Board received information that Licensee was prescribing controlled medications to four family members without establishing a patient/provider relationship. Licensee failed to document patient visits and patient visits were performed off-site and not at the clinic where Licensee was credentialed. Licensee falsified patient records related to these visits. Licensee failed to communicate with her family member’s primary care provider regarding medications she was prescribing.

Licensee independently diagnosed two family members with mental health disorders and provided treatment with controlled medications. Licensee failed to document the clinical decision making to support the mental health diagnosis and accompanying prescribed medications.


ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(1) Conduct related to general fitness to practice nursing:
(b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice.
Actual injury need not be established.
(3) Conduct related to the client's safety and integrity:
(c) Failing to develop, implement or modify the plan of care;
(o) Failing to establish or maintain professional boundaries with a client.
(4) Conduct related to communication:
(a) Failure to accurately document nursing interventions and nursing practice implementation;
(b) Failure to document nursing interventions and nursing practice implementation in a timely, accurate, thorough, and clear manner. This includes filing to document a late entry within a reasonable time period;
(c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
(A) Documenting nursing practice implementation that did not occur;
(B) Documenting the provision of services that were not provided;
(C) Failing to document information pertinent to a client's care;
(E) Falsifying data;
(f) Failing to communicate information regarding the client's status to members of the health care team in an ongoing and timely manner as appropriate to the context of care.
(8) Conduct related to other federal or state statute or rule violations:
(q) Failing to dispense or administer medications in a manner consistent with state and federal law.

Licensee denies the allegations but wishes to cooperate with the Board in this matter and voluntarily surrender their Nurse Practitioner and Registered Nurse licenses.

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

That the voluntary surrender of the Registered Nurse and Nurse Practitioner licenses of Jennifer Muller be accepted. If, after a minimum of three years, Ms. Muller wishes to reinstate their Registered Nurse and Nurse Practitioner licenses, Jennifer Muller may submit an application to the Board to request reinstatement.

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

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

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

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

Jennifer Muller, NP

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kathleen Chinn, FNP-BC
Board President

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON  
STATE BOARD OF NURSING  

In the Matter of  
Eveline Newell, LPN  
License No. 000007395LPN  

) STIPULATED ORDER FOR  
) REPRIMAND OF LICENSE  
) Reference No. 21-00843  

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. Eveline Newell (Licensee) was issued a Licensed Practical Nurse license by the Board on May 23, 1974.

On or about March 26, 2021, the Board received information that Licensee had accessed medical records of a patient without proper authorization or a need to know. An investigation was opened into the matter.

Investigative records show that on February 2, 2021, and again on February 8, 2021, Licensee accessed patient records without proper authorization or a need to know.

In an interview with Board staff on May 26, 2021, Licensee admitted to accessing the records of a patient not assigned to her. Licensee stated that she was unaware that this was a violation of the Nurse Practice Act.

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

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(f) Conduct derogatory to the standards of nursing.
(g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(8) Conduct related to other federal or state statute or rule violations:
(o) Violating a person’s rights of privacy and confidentiality of information by accessing information without proper authorization or without a demonstrated need to know;

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

That the Licensed Practical Nurse license of Eveline Newell be reprimanded.

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

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

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

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

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

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

_____________________________________  Date
Eveline Newell, LPN

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON
Kathleen Chinn, FNP-BC
Board President

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of ) STIPULATED ORDER FOR
Megan Parker, RN ) VOLUNTARY SURRENDER
)
License No. 200341962RN ) Reference No. 21-01018

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Megan Parker (Licensee) was issued a Registered Nurse License/Certificate by the Board on September 09, 2003.

On or about August 14, 2018, the Board received a complaint from the Director of Case Management for Legacy Health Systems, reporting that Megan Miller, RN was impaired during a work teleconference, as evidenced by her slurred speech and confusing communication. Licensee also filed a self-report disclosing the same information. The Board opened an investigation.

Licensee was entered into the Health Professional Services Program by the Board on 11/14/18.

Licensee has maintained compliance until a report received a Non-Compliance for a positive toxicology results.

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

ORS 676.200 Board participation in program; rules. (1)(a) A health profession licensing board that is authorized by law to take disciplinary action against licensees may adopt rules opting to participate in the impaired health professional program established under ORS 676.190 and may contract with or designate one or more programs to deliver therapeutic services to its licensees.

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:

(c) Failing to comply with the terms and conditions of Health Professionals’ Services Program agreements.
Completion Requirements
(1) To complete the HPSP successfully, licensees with a substance use disorder and with a mental disorder, must have participated in the HPSP program for a minimum of four years and have worked for at least two years in a monitored practice. Licensees must complete the required two years of monitored practice within four years of entering the HPSP.

OAR 851-070-0100 Non-Compliance Criteria
(1) The HPSP will report substantial non-compliance to the Board within one business day after the HPSP learns of non-compliance, including but not limited to information that a licensee:
   (l) Violated any terms of the monitoring agreement; or

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 Megan Parker be accepted. If, after a minimum of three years, Ms. Parker wishes to reinstate their Registered Nurse license, Megan Parker 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, Megan Parker 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.

________________________________________  ____________________________
Megan Parker, RN                                      Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

________________________________________  ____________________________
Kathleen Chinn, FNP-BC                                      Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Stephanie Philpot, RN

) STIPULATED ORDER FOR
) PROBATION

License No. 201405576RN ) Reference No. 21-00829

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Stephanie Philpot (Licensee) was issued a Registered Nurse license by the Board on August 14, 2014.

On multiple occasions between 2019 and 2021, Licensee used prescription medication 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. On November 25, 2020, Licensee provided untruthful answers the Board on their Registered Nurse license renewal application to questions pertaining to drug use. On multiple occasions in 2021, Licensee diverted controlled substances from work, falsely documented their activity pertaining to controlled substances at work, and practicing nursing while impaired.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(c)(d)(f)(g) and OAR 851-045-0070 that provide as follows:

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

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

2. By fraud or deceit the licensee in the practice of nursing or in admission to such practice.
   (f) Conduct derogatory to the standards of nursing.
   (g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:

1. Conduct related to general fitness to practice nursing:
   (a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior; or
(b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.

(4) Conduct related to communication:

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

(E) Falsifying data;

(7) Conduct related to impaired function:

(a) Practicing nursing when unable or unfit due to:

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

(c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice of nursing.

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

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

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

(9) Conduct related to licensure or certification violations:

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

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

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

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

That the Registered Nurse license of Stephanie Philpot 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 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 drug testing program. Failure to comply with random urine, blood, hair, nail, 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 a substance use disorder evaluation by a Board approved third party evaluator. Licensee understands that Licensee is financially responsible for any and all costs related to testing and evaluating. Licensee’s failure to maintain an account in good standing with the Board’s laboratory vendor shall be considered a violation of this Stipulated Order.

19) Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while participating in the Board’s random urine drug testing program, except as provided in Section 20 below. Licensee shall avoid any over-the-counter products and food items containing alcohol, marijuana and poppy seeds.
20) Licensee may take medication for a documented medical condition, provided that Licensee obtains such medication only by a legal prescription written by a person authorized by law to write such a prescription. Licensee will notify Board staff within 72 hours in the event Licensee is prescribed such medication, and shall sign a release of information authorizing the prescribing person to communicate with Board staff about Licensee’s medical condition. Licensee shall produce the medical records pertaining to the medical condition and medication use. Licensee will discard any unused prescription medications when it is no longer needed or expired.

21) Licensee shall cease practicing as a nurse upon the occurrence of a relapse, or at the request of Board staff because of a relapse or relapse behavior. Practice may resume only when approved in writing by Board staff, in consultation with Licensee’s employer.

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

23) Licensee shall notify Board staff at least three (3) business days prior to leaving town or going on vacation, with the exception of a family emergency.

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

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

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

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

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

IT IS SO AGREED:

_____________________________    ____________________________
Stephanie Philpot, RN                 Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

_____________________________    ____________________________
Kathleen Chinn, FNP-BC                 Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON  
STATE BOARD OF NURSING 

In the Matter of  Joanna Rankins, CNA  ) STIPULATED ORDER FOR  
 ) WITHDRAWAL OF CERTIFIED  
 ) NURSING ASSISTANT APPLICATION  
 ) Reference No. 21-00584

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certificate Holders. Joanna Rankins (Applicant) applied for a Certified Nursing Assistant (CNA) certificate on December 20, 2020.

On December 20, 2020, Applicant submitted a CNA application and disclosed a conviction in 2017 for DUII and that she had completed treatment in March of 2021.

By the above actions, Applicant is subject to discipline pursuant to ORS 678.442(2)(a), (d), ORS 670.280, and OAR 851-063-0090 which provide as follows:

ORS 678.442 Certification of nursing assistants; rules.  
(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:
   (a) Conviction of the certificate holder of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant. A copy of the record of such conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.
   (d) Violation of any provisions of ORS 678.010 to 678.448 or rules adopted thereunder.

ORS 670.280 Denial, suspension or revocation of license based on criminal conviction; denial of license or imposition of discipline for conduct substantially related to fitness and ability of applicant or licensee.  
(1) As used in this section:  
   (a) “License” includes a registration, certification or permit.  
   (b) “Licensee” includes a registrant or a holder of a certification or permit.  
   (2) Except as provided in ORS 342.143 (3) or 342.175 (3), a licensing board, commission or agency may not deny, suspend or revoke an occupational or professional license solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold the license.  
   (3) Except as provided in ORS 342.143 (3) and 342.175 (3), a licensing board, commission or agency may deny an occupational or professional license or impose discipline on a licensee based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the
activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. [1973 c.359 §1; 1991 c.662 §6a; 2003 c.749 §13; 2009 c.386 §5]

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

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

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

That Joanna Rankins’s application for Nursing Assistant Certificate be withdrawn.

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

Applicant understands that by signing this Stipulated Order, applicant waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof.

Applicant acknowledges that no promises, representations, duress or coercion have been used to induce applicant to sign this Stipulated Order.

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

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

IT IS SO AGREED:

Joanna Rankins, CNA  Date
ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

_________________________________________  __________________________
Kathleen Chinn, FNP-BC                  Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Danielle Rodriguez, CNA

FINAL ORDER OF REVOCATION
BY DEFAULT

Certificate No. 201601377CNA
Reference No. 21-00418

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. Danielle Rodriguez (CNA) was issued a Certified Nursing Assistant Certificate by the Board on March 1, 2016.

This matter was considered by the Board at its meeting on June 16, 2021.

On May 20, 2021, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant Certificate of Danielle Rodriguez was sent to CNA via certified and first-class mail to the address of record.

The Notice alleged that CNA was untruthful on her renewal application to the Board and through the course of a Board investigation.

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

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

-I-

FINDINGS OF FACT

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

1. CNA was issued a Certified Nursing Assistant Certificate in the state of Oregon on March 1, 2016.
2. On or about November 1, 2020, CNA was dishonest her renewal application. On November 1, 2020, CNA submitted a renewal application and answered “No” to the question, “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?” Investigative information showed that between since CNA’s last renewal on October 18, 2018, and November 1, 2020, CNA received citations in lieu of arrest on May 28, 2020, July 14, 2020, July 17, 2020, and on August 28, 2020.

3. On or about December 28, 2020, CNA was untruthful with Board staff. Investigative information shows that on July 17, 2020, CNA was involved in a verbal altercation and struck a person (CJC). In an interview with Board staff on December 28, 2020, CNA denied striking CJC. In a second interview with Board staff on February 25, 2021, CNA admitted to being dishonest with the Board during the first interview and that she had in fact struck CJC.

4. On or about December 28, 2020, CNA was untruthful with Board staff. Investigative information shows that on May 26, 2020, at approximately 1:56pm, CNA was witnessed hitting roadway signs with her vehicle and leaving the scene. In an interview with Board staff on December 28, 2020, CNA explained that she hit the roadway signs because it was dark and that she had immediately pulled over and reported the incident to law enforcement by phone. There are no records indicating that CNA contacted law enforcement.

5. On March 20, 2021, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

- II -

CONCLUSIONS OF LAW

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

2. That Certificate Holder’s conduct is in violation of ORS 678.442(2)(d)(f) and OAR 851-063-0090(1)(b) and (10)(b) which read as follows:

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

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

(d) Violation of any provisions of ORS 678.010 to 678.448 or rules adopted thereunder.

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

1. Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:
   (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.

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

3. That 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 Danielle Rodriguez is REVOKED.

DATED this _____ day of June, 2021

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

_______________________________
Kathleen Chinn, FNP-BC
Board President
TO: DANIELLE RODRIGUEZ:

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 Natasha Rogers, CNA ) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER
Certificate No. 202004178CNA ) Reference No. 21-00909

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. Natasha Rogers (Licensee) was issued a Certified Nursing Assistant Certificate by the Board on June 01, 2020.

On or about April 19, 2021, the Board received information that CNA was involved in a personal boundaries violation.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(f), and OAR 851-063-0090(3)(k).

ORS 678.442 Certification of nursing assistants; rules. (2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:
(f) Conduct unbecoming a nursing assistant in the performance of duties.

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

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 Natasha Rogers be accepted. If, after a minimum of three years, Ms. Rogers wishes to reinstate their Certified Nursing Assistant certificate, Natasha Rogers 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, Natasha Rogers 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.

__________________________________________  ________________________________
Natasha Rogers, CNA                          Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

__________________________________________  ________________________________
Kathleen Chinn, FNP-BC                       Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of Cinthia Sowell, RN

License No. 092000598RN

STIPULATED ORDER FOR
REPRIMAND OF LICENSE

Reference No. 21-00693

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse License. Cinthia Sowell (Licensee) was issued a Registered Nurse License by the Board on September 10, 1992.

On or about February 5, 2021, the Board received information alleging that Licensee had documented a narcotic as being administered when it had not. Additionally, it was alleged that Licensee conducted a narcotic count alone but documented that the narcotic count had been done with a second person. An investigation was opened into the matter.

In an interview with Board staff on May 11, 2021, Licensee admitted that on January 31, 2021, she prematurely documented the administration of a narcotic and then failed to administer the narcotic, resulting in false documentation. Additionally, Licensee admitted that on January 31, 2021, she falsely documented conducting an end of shift narcotic count with a coworker when she had not. License explained that she was not feeling well on January 31, 2021, and that she had become complacent with her documentation.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f)(g) and OAR 851-045-0070(2)(a), (4)(c)(A) which reads as follows:

ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:
(1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
(f) Conduct derogatory to the standards of nursing.
(g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;

(4) Conduct related to communication:
(c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
(A) Documenting nursing practice implementation that did not occur;

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 Cinthia Sowell be reprimanded.**

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

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

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

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

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

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

______________________________________________  __________________________
Cinthia Sowell, RN                                         Date
ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kathleen Chinn, FNP-BC
Board President

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of ) STIPULATED ORDER FOR
Austin Teune, RN ) PROBATION

License No. 201403096RN ) Reference No. 21-00918

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Austin Teune (Licensee) was issued a Registered Nurse License by the Oregon State Board of Nursing on May 29, 2014.

On or about April 21, 2021, the Board received information from the Licensee that he had been arrested for a second DUII.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f), and OAR 851-045-0070(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:
(f) Conduct derogatory to the standards of nursing.

OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
(7) Conduct related to impaired function:
(c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice of nursing.

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

That the Registered Nurse License of Austin Teune 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
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 drug testing program. Failure to comply with random urine, blood, hair, nail, 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 a substance use disorder evaluation by a Board approved third party 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 of 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:

__________________________________________  ______________________________________
Austin Teune, RN                                Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

__________________________________________  ______________________________________
Kathleen Chinn, FNP-BC                          Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING
BEFORE THE OREGON
STATE BOARD OF NURSING

In the Matter of
Charles Wegener, RN

) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER
) REGISTERED NURSE LICENSE

License No. 201811092RN ) Reference No. 21-00708

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Charles Wegener (Licensee) was issued a Registered Nurse License/Certificate by the Board on December 13, 2018.

On or about February 8, 2021, the Board received information that Licensee was placed on Administrative leave and later terminated for improper assessment, falsification of documentation, and improper medication administration. During the investigation Mr. Wegener admitted to administering medication to a patient that was ordered for agitation in order to ensure they would sleep throughout the night based on fear of the patient potentially becoming agitated and assaulting Mr. Wegener. Mr. Wegener also admitted to documenting events that had not yet occurred, with the intention of modifying the documentation at the end of his shift.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(f), OAR 851-045-0070 (1)(a)(b),(2)(a),(3)(b)(k),(4)(a)(c)(E) 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:
(1) Conduct related to general fitness to practice nursing:
(a) Demonstrated incidents of violent, abusive, intimidating, neglectful or reckless behavior; or
(b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
(2) Conduct related to achieving and maintaining clinical competency:
(a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
(3) Conduct related to the client’s safety and integrity:
(b) Failing to take action to preserve or promote the client’s safety based on nursing assessment and judgment;
(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;
(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:
(E) Falsifying data;

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 Charles Wegener be accepted. If, after a minimum of three years, Mr. Wegener wishes to reinstate their Registered Nurse license, Charles Wegener 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, Charles Wegener 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.

_________________________  ________________________
Charles Wegener, RN  Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

_________________________  ________________________
Kathleen Chinn, FNP-BC  Date
Board President

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING