

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|  |                                      |
|--|--------------------------------------|
| <b>In the Matter of</b>                    | <b>) STIPULATED ORDER FOR</b>        |
| <b>Christopher Aichele, RN APRN-NP</b>     | <b>) REPRIMAND OF RN and APRN-NP</b> |
|  | <b>LICENSES</b>                      |
|  | <b>)</b>                             |
| <b>License No. 201340891RN 201350066NP</b> | <b>) Reference No. 2024090205</b>    |

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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 (RN) and Advanced Practice Registered Nurses (APRN-NPs,) pursuant to ORS 678.010 through ORS 678.448.

Christopher Aichele, (Licensee), was issued a Registered Nurse license and an APRN-NP license by the Board on April 4, 2013.

On April 12, 2024, Licensee violated professional boundaries when they asked permission to hug a patient at the conclusion of the office visit, which made the patient feel obligated to engage in physical contact which was unwanted.

On July 15, 2024, Licensee violated professional boundaries with the same patient when they asked to hug the patient at the conclusion of the office visit and when they contacted the patient via text message following the appointment. The patient perceived Licensee's text messages as flirtatious and inappropriate.

Licensee has completed continuing education on Maintaining Ethics, Boundaries and Professionalism in Nursing.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(f)(g), OAR 851-006-0010(4), OAR 851-045-0070(3)(o) and OAR 851-045-0070(3)(q) which provides as follows:

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

In the manner prescribed in ORS chapter 183 for a contested case, and except as provided in ORS 678.138:

The Oregon State Board of Nursing may refuse to issue a license to practice nursing by examination or indorsement or a nurse internship license or may revoke or suspend a license, issue a limited license, censure or reprimand or place on probation, subject to any conditions imposed by the board, a person issued a license, 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 under ORS 678.010 to 678.448.

**OAR 851-006-0030 Standard Definition**

(4) “**Client**” means an individual, family, facility resident or group engaged in a professional relationship with a licensee and the recipient of nursing services. For the purposes of these rules the terms “client”, “patient” and “resident” are interchangeable and have the same meaning.

**Former OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined**  
(Cert. ef. 08/01/2017 – 06/30-2024)

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

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

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

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

Conduct derogatory to the practice of nursing is conduct that adversely affects the health, safety, and welfare of the public; that fails to conform to OAR 851-045 scope and standards of practice; or that fails to conform to accepted standards of the nursing profession. Such conduct includes, but is not limited to:

**(3) Conduct related to the client’s safety and integrity**

(q) 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 RN license and APRN-NP license of Christopher Aichele 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 they engage in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against their licenses, up to and including revocation of their licenses to practice as a Registered Nurse and APRN-NP.

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

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

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

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

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



Christopher Aichele, RN APRN-NP

04/28/25

Date

### **ORDER**

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Amber Blackmore, CNA**

**Certificate No. 10020471**

) **STIPULATED ORDER FOR**  
) **REPRIMAND**  
)  
) **Reference No. 2024020134**

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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 CNAs, pursuant to ORS 678.010 through ORS 678.448.

Amber Blackmore (Certificate Holder) was issued a/an CNA certificate by the Board on January 4, 2024.

On or about February 12, 2024, the Board received information that Certificate Holder was falsifying her timecard. The Board's investigation showed Certificate Holder reported on her timecard through an online application, that she was working, when she was never working. Certificate Holder was subsequently convicted of Aggravated Theft I on September 30, 2024, in Klamath County Circuit Court. Certificate Holder failed to notify the Board of her Felony conviction.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 670.280(1)(a)(b)(2)(3), ORS 678.442(2)(f) and OAR 851-063-0090(1)(b), (8)(r).

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.

ORS 678.442 Certification of nursing assistants; rules.

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

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



OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

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

- (1) Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:
- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (8) Conduct related to other federal or state statutes/rule violations:
- (r) Failure to report to the Board the CNA's own conviction of a misdemeanor or a felony crime within ten days of the conviction.

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

That the CNA Certificate of Amber Blackmore be reprimanded.

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

Certificate Holder understands that in the event they engage in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against their certificate, up to and including revocation of their certificate to practice as a/an CNA.


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

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

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

Certificate Holder understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

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

  
Amber Blackmore, CNA


04/28/25

Date

**ORDER**

IT IS SO ORDERED:

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

  
Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Leotia Davis,**

) **FINAL ORDER OF DENIAL**  
) **OF NURSING ASSISTANT**  
) **CERTIFICATE BY DEFAULT**  
) **Reference No. 2023020134**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Certified Nursing Assistants, pursuant to ORS 678.010 through ORS 678.448.

Leotia Davis (Applicant) applied for a Nursing Assistant Certificate in the state of Oregon on or about June 24, 2022.

The Board considered this matter at its meeting on April 16, 2025.

On April 17, 2025, a Notice stating that the Board intended to deny the application for a Nursing Assistant Certificate was sent to Applicant via email, certified and first-class mail to Applicant's address of record. The Notice alleged failed to disclose a misdemeanor conviction in the state of Louisiana on June 1, 2016.

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

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

**-I-  
FINDINGS OF FACT**

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

1. On or about June 24, 2022, Applicant submitted an online application for a Nursing Assistant Certificate. On the application the Applicant failed to disclose a misdemeanor conviction from June 1, 2016.
2. On April 16, 2025, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Nursing Assistant Certificate.
3. On April 17, 2025, Board staff mailed a Notice of Proposed Denial of Nursing Assistant Certificate to Applicant via email, 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, Leotia Davis, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of ORS 678.442(1)(a)(2)(b) and OAR 851-063-0090(9)(a).

**678.442 Certification of nursing assistants; rules**

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

(a) Submits an application;

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

(b) Any willful fraud or misrepresentation in applying for or procuring a certificate or renewal thereof.

**OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant**

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

(9) Conduct related to certification violations:

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

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

**-III-  
ORDER**

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

ORDERED that the Application for a Nursing Assistant Certificate is denied.

Dated this 25<sup>th</sup> day of June 2025

FOR THE OREGON STATE BOARD OF NURSING



Marcus Cooksey  
Board President

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Dawn Garcia, RN**

**) STIPULATED ORDER FOR  
) PROBATION**

**)  
)**

**License No. 095006995RN**

**) Reference No. 2024090171**

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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, pursuant to ORS 678.010 through ORS 678.448.

Dawn Garcia (Licensee) was issued a/an RN license by the Oregon State Board of Nursing on October 16, 1995.

On or about December 23, 2023, the Board received the reinstatement application from the Licensee and opened an investigation into the licensee's prior voluntary surrender of her RN license for impairment related to mental health concerns. Licensee voluntarily submitted to a mental health evaluation at the Board's request.

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

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

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

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 Dawn Garcia 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 on average, 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 contact information which includes address, email address, and phone number.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall inform Board staff in advance of any move from Oregon. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated. If monitoring is approved and transferred to another Board of Nursing, Licensee shall successfully complete all requirements of the Board Order of the other jurisdiction. Licensee shall be required to ensure the Oregon State Board of Nursing receives quarterly reports documenting the Licensee's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While licensee practices in another state, those hours will only be counted toward licensee's Oregon probation if the position meets the monitoring requirements per line ten (10) of this stipulated order.
- 6) Licensee shall maintain monthly contact by phone, electronic or virtual methods to designated Board staff for interviews during the probationary period. Frequency or type of contact may be reviewed and revised periodically at the discretion of Board staff. This includes being required to attend an in-person meeting.
- 7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within ten (10) 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, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.

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 the Board's random drug testing program for a minimum of six months. After six months the probation monitor may re-evaluate participation and frequency. 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.

17) Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs, except as provided in Section 18 below. Licensee shall avoid any over-the-counter products and food items containing alcohol, THC including CBD products, and poppy seeds.

18) 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.

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

20) Licensee shall maintain a mental health provider and engage in mental health therapy with the frequency and duration of sessions determined by her provider. Licensee shall provide a signed authorization of release with her mental health provider. Licensee shall notify any and all healthcare providers of the nature of Licensee's diagnoses 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.

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

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

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

IT IS SO AGREED:



Dawn Garcia, RN

05/13/25

Date

### **ORDER**

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING



**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|   |                                      |
|---|--------------------------------------|
| <b>In the Matter of</b>                   | <b>) FINAL ORDER OF DENIAL OF</b>    |
| <b>Esther Gitau</b>                       | <b>) REGISTERED NURSE LICENSE BY</b> |
|   | <b>) DEFAULT</b>                     |
| <b>License No. 201602148LPN,</b>          | <b>)</b>                             |
| <b>Registered Nurse License Applicant</b> | <b>) Reference No. 22-00080</b>      |

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses and Registered Nurse license Applicants, pursuant to ORS 678.010 through ORS 678.448. Esther Gitau (Applicant) applied for a Registered Nurse license in the state of Oregon in or about July 2021.

This matter was considered by the Board at its meeting on June 25, 2025.

On or by April 23, 2025, a Notice stating that the Board intended to deny the application for a Registered Nurse license was sent to Applicant via certified and first-class mail and email.

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 complete a final clinical practicum as per Oregon's requirements.
2. On April 16, 2025, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Registered Nurse License.
3. On or by April 23, 2025, Board staff mailed a Notice of Proposed Denial of Registered Nurse License to Applicant via first-class and certified mail and email. 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, Esther Gitau, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of ORS 678.040(2)(b) and ORS 678.111(1)(g) and OAR 851-006-0030(5) and OAR 851-006-0140(15).
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 license is denied.

**06/25/25**

Date

FOR THE OREGON STATE BOARD OF NURSING

  
\_\_\_\_\_  
Marcus Cooksey, MSN, APRN, FNP  
Board President

TO Esther Gitau:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>In the Matter of</b>         | <b>) FINAL ORDER OF SUSPENSION</b>  |
| <b>James Gitundu, LPN</b>       | <b>) BY DEFAULT WITH CONDITIONS</b> |
|                                 | <b>)</b>                            |
| <b>License No. 202113590LPN</b> | <b>) Reference No. 2024040097</b>   |

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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 LPNs, pursuant to ORS 678.010 through ORS 678.448.

James Gitundu (Licensee) was issued a LPN License by the Board on November 30, 2021.

This matter was considered by the Board at its meeting on April 16, 2025.

On April 18, 2025, a Notice stating that the Board intended to Suspend the LPN License of James Gitundu was sent to Licensee via email, certified and first-class mail to the address of record.

The Notice alleged that Licensee on or about February 11, 2025, was convicted of Sex Abuse III and Harassment in Multnomah County Circuit Court. Licensee failed to report his conviction within ten (10) days to the Board.

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 LPN License in the state of Oregon on November 30, 2021.
2. On or about April 11, 2024, Licensee was arrested for an incident that occurred with a coworker in which Licensee was arrested for Sex Abuse III and Harassment.
3. On or about February 11, 2025, Licensee was convicted of Sex Abuse III and Harassment in Multnomah County Circuit Court. Licensee failed to report his conviction within ten (10)



days to the Board

4. On April 18, 2025, Board staff mailed a Notice of Proposed Suspension with Conditions to Licensee via email, first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

**CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the Licensee, James Gitundu, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.280(1)(a)(b)(2), 678.111(1)(f) and OAR 851-045-0070(6)(a)(8)(w).

**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" include a registrant or a holder of a certification or permit.

(2) Except as provided in ORS 342.143 (Issuance of licenses and registrations) (3) or 342.175 (Grounds for discipline) (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.

**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:

- (6) Conduct related to co-workers and health care team members:
    - (a) Engaging in violent, abusive or threatening behavior towards a co-worker; or
  - (8) Conduct related to other federal or state statute or rule violations:
    - (w) Failure to report to the Board the licensee's conviction of a misdemeanor or a felony crime within 10 days of the conviction.
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 LPN License of James Gitundu is SUSPENDED for 180-days, commencing five business days from the date a Final Order of Suspension is signed by the Oregon State Board of Nursing.

Additionally, each of the foregoing violations are grounds to require that Licensee complete the PBI Professional Boundaries (PB-24) course during the one hundred eighty-day suspension period and provide a certificate of completion to Board staff.

DATED this 25<sup>th</sup> day of June 2025

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



Marcus Cooksey  
Board President

TO: James Gitundu:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|  |   |   |
|--|---|---|
| <b>In the Matter of<br/>Beverley Heslope</b> | ) | <b>FINAL ORDER OF DENIAL OF<br/>REGISTERED NURSE LICENSE BY<br/>DEFAULT</b> |
|  | ) |   |
| <b>Registered Nurse License Applicant</b>    | ) | <b>Reference No. 2024060020</b>   |

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses and Registered Nurse license applicants, pursuant to ORS 678.010 through ORS 678.448. Beverley Heslope (Applicant), applied for a Registered Nurse license in the state of Oregon in February 2024.

This matter was considered by the Board at its meeting on June 25, 2025.

On March 6, 2025, a Notice stating that the Board intended to deny the application for a Registered Nurse license was sent to Applicant via certified and first-class mail and email.

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. In February 2024, Applicant submitted an endorsement application for Registered Nurse license.
2. The Applicant failed to complete a final clinical practicum as per Oregon's requirements.
3. On February 19, 2025, the Board voted to issue a Notice of Proposed Denial of Registered Nurse License.
4. On March 6, 2025, Board staff mailed a Notice of Proposed Denial of Registered Nurse License to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the relevant portions of Board's files would be the record for purposes of

default.

## II

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over Applicant, Beverley Heslope, and over the subject matter of this proceeding.
2. Due to the lack of the final clinical practicum, Applicant's education does not include a clinical component that meets the definitions in OAR 851-006-0030(5) and 851-006-0140(15). Accordingly, Applicant's education does not meet the requirements of ORS 678.040(2)(b) and the application may be denied pursuant to ORS 678.111(1)(g).
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 license is denied.

**06/25/25**

\_\_\_\_\_  
Date

FOR THE OREGON STATE BOARD OF NURSING

\_\_\_\_\_  
Marcus Cooksey, MSN, APRN, FNP  
Board President

TO Beverley Heslope:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

|   |                                      |
|---|--------------------------------------|
| <b>In the Matter of</b>                   | ) <b>FINAL ORDER OF DENIAL OF</b>    |
| <b>Lorry Jacques</b>                      | ) <b>REGISTERED NURSE LICENSE BY</b> |
| <b>AKA: Lorry Hanna</b>                   | ) <b>DEFAULT</b>                     |
|   | )                                    |
| <b>Registered Nurse License Applicant</b> | ) <b>Reference No. 2024060045</b>    |

## II

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over Applicant, Lorry Jacques, and over the subject matter of this proceeding.
2. Due to the lack of the final clinical practicum, Applicant's education does not include a clinical component that meets the definitions in OAR 851-006-0030(5) and 851-006-0140(15). Accordingly, Applicant's education does not meet the requirements of ORS 678.040(2)(b) and the application may be denied pursuant to ORS 678.111(1)(g).
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 license is denied.

**06/25/25**

\_\_\_\_\_  
Date

FOR THE OREGON STATE BOARD OF NURSING

\_\_\_\_\_  
Marcus Cooksey, MSN, APRN, FNP  
Board President

TO Lorry Jacques:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Audrey Jaramillo, RN**

) **STIPULATED ORDER FOR**  
) **SUSPENSION WITH CONDITIONS**  
) **FOLLOWED BY PROBATION**  
)  
) **Reference No. 2023020065**

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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, pursuant to ORS 678.010 through ORS 678.448. Audrey Jaramillo (Licensee) was issued a Registered Nurse license by the Board on September 21, 2016.

On multiple occasions in 2021, 2022, 2023, and 2024, Licensee diverted controlled substances from their places of employment and abused those controlled substances. In June 2022 and June 2024, Licensee submitted Registered Nurse license renewal applications to the Board and both times failed to answer truthfully a question about substance abuse. On March 8, 2023, during the course of a Board investigation, Licensee failed to answer truthfully and completely questions asked their about drug diversion and substance abuse. On multiple occasions between November 2022 and January 2023, as well as between July 2023 and October 2024, Licensee was responsible for the following:

- Over one-hour delays between logging out medications, administering, wasting, and documenting
- Wasting full packages of medication instead of returning them
- Failing to document medication administrations, vital signs, pain assessments
- Logging out medications hours before they could be administered as per the medication order
- Unaccounted for medications
- Medications being documented as administered prior to even being logged out.

By the above actions, Licensee is subject to discipline pursuant to the following statutes and rules:

**ORS 678.111<sup>1</sup> 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, and except as provided in ORS 678.138:

(1) The Oregon State Board of Nursing may refuse to issue a license to practice nursing by examination or indorsement or a nurse internship license or may revoke or suspend a license, issue a limited license, censure or reprimand or place on probation, subject to any conditions imposed by the board, a person issued a license, for any of the following causes:

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

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<sup>1</sup>The legislature amended ORS 678.111 between 2019 and 2023. The amendments are not material to the issues in this matter.



- (d) Fraud or deceit of the licensee in the practice of nursing or in admission to the practice of nursing.
- (f) Conduct derogatory to the standards of nursing.
- (g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted under ORS 678.010 to 678.448. 851-045-0070

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

Conduct derogatory to the practice of nursing is conduct that adversely affects the health, safety, and welfare of the public; that fails to conform to OAR 851-045 scope and standards of practice; or that fails to conform to accepted standards of the nursing profession. Such conduct includes, but is not limited to:

- (1) Conduct related to general fitness in the practice of nursing:
- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to recognize standards of acceptable and prevailing nursing practice. Actual injury need not be established;
- (4) Conduct related to communication:
  - (a) Failure to document the practice of nursing in a timely, accurate, thorough, and clear manner;
  - (c) Failure to document data and information pertinent to a client's status;
  - (d) Failing to document a late entry within a reasonable time period;
- (7) Conduct related to impaired function:
  - (c) The use of any drug, prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner that:
    - (A) Is dangerous or injurious to the licensee or others; or
    - (B) Impairs the ability to conduct safely the practice of nursing.
- (8) Other conduct derogatory to the practice of nursing:
  - (a) Violating any law, rule, or regulation intended to guide the conduct of nurses;
  - (k) Except as authorized through a medical order written by a person authorized to prescribe the medication:
    - (A) Possessing, obtaining, or attempting to obtain a prescription medication or controlled medication; or
    - (B) Furnishing or administering a prescription medication or controlled medication to any person, including oneself;
  - (l) Unauthorized removal, attempted removal, or stealing of medications, supplies, property, or money from any person in the practice setting or one's employer;
- (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;
  - (b) Failing to answer truthfully and completely any question asked by the Board. This includes:
    - (B) During the course of an investigation;

*Former version effective August 1, 2017 to July 1, 2024:*

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

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

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

- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
- (4) Conduct related to communication:
  - (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;
- (7) Conduct related to impaired function:
  - (c) The use of a prescription or non-prescription medication, alcohol, or a mind-altering substance, to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice of nursing.
- (8) Conduct related to other federal or state statute or rule violations:
  - (k) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled medications to any person, including self, except as directed by a person authorized by law to prescribe medications;
  - (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 Board and is agreed to by Licensee:

**That the Registered Nurse license of Audrey Jaramillo be suspended for 30 days starting five days after this Order is signed by the Board President and then be placed on probation upon completion of the suspension.**

**The suspension will not be considered complete until after the aforementioned 30 days AND Licensee provides Board staff proof of completion of one Board-approved continuing education course on Documentation for Nurses and one on Prevention of Medical Errors.**

**Licensee's compliance with this agreement will be monitored by the Board from date of signature on the Stipulated Order. Licensee must complete a thirty-six (36) 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 on**

**average, 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 forty-eight (48) months from Board's acceptance of this Order to complete thirty-six (36) months of monitored practice.
- 3) Licensee shall notify Board staff, in writing, prior to any change of contact information which includes address, email address, and phone number.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall inform Board staff in advance of any move from Oregon. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated. If monitoring is approved and transferred to another board of nursing, Licensee shall successfully complete all requirements of the Board Order of the other jurisdiction. Licensee shall be required to ensure the Board receives quarterly reports documenting Licensee's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While Licensee practices in another state, those hours will only be counted toward Licensee's Oregon probation if the position meets the monitoring requirements per line ten (10) of this stipulated order.
- 6) Licensee shall maintain monthly contact by phone, electronic or virtual methods to designated Board staff for interviews during the probationary period. Frequency or type of contact may be reviewed and revised periodically at the discretion of Board staff. This includes being required to attend an in-person meeting.
- 7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within ten (10) 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, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.

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 substance use and/or mental health evaluator approved by the Board. Licensee shall ensure that Board staff receive monthly status reports from the treatment provider. 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, THC including CBD products, 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 diagnoses 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 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.

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

IT IS SO AGREED:



Audrey Jaramillo, RN

5/16/25  
Date

### ORDER

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|                                |                                   |
|--------------------------------|-----------------------------------|
| <b>In the Matter of</b>        | <b>) STIPULATED ORDER FOR</b>     |
| <b>Pamela Lewis, RN</b>        | <b>) PROBATION</b>                |
|                                | <b>)</b>                          |
| <b>License No. 200742577RN</b> | <b>) Reference No. 2023110242</b> |

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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, pursuant to ORS 678.010 through ORS 678.448.

Pamela Lewis (Licensee) was issued a RN license by the Oregon State Board of Nursing on July 27, 2007.

On October 18, 2023, while working as an RN in a jail, Licensee committed a serious medication error by administering twelve, 25mg tablets of Librium to a patient who was supposed to receive 300mg of Lithium. Licensee was removed from medication administration duties.

On December 27, 2024, while working in a different jail, Licensee failed to follow proper disposal procedure of controlled medication, resulting in 116 tabs of buprenorphine being unaccounted for, for three weeks.

On or about November 22, 2024, it was discovered that Licensee ordered controlled medication by altering an order form previously signed by a physician and another nurse that was used for ordering different medications. Licensee whited out the original medication order and used the altered form four times to order non-patient-specific controlled medications to be used by the jail clinic. Licensee instructed another staff member to use the altered form.

Licensee failed to follow proper procedure when conducting an assessment on an adult in custody, leaving the patient without care needed. Licensee left shift and failed to document and communicate the patient's needs to other members of the health care team, resulting in a decline in the patient's health status.

Between September 10, 2024, and December 13, 2024, Licensee abandoned her shift on four dates leaving the health services unit at the jail unattended during hours of operation.

Between September 2024 and October 2024, Licensee failed to order necessary medications for two adults in custody leading to a decline in both patient's health status.

Licensee falsely and inaccurately documented in a patient's chart after an emergency response.



By the above actions, Licensee is subject to discipline pursuant to: ORS 678.111 (1)(f), *Former* OAR 851-045-0070 (*eff* 08/01/2017 – 06/30/2024), (2)(a)

OAR 851-045-0070, (1)(b),(2)(a)(b),(3)(b)(c)(i),(4)(a)(c)(e)(A)(D)(E)(i),(8)(k)(A)

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.

*Former* OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined (*eff* 08/01/2017 – 06/30/2024)

Conduct that adversely affects the health, safety, and welfare of the public, fails 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;

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

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

(b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.

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

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

(b) Exceeding scope in the practice of nursing for license type;

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

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

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

(i) Accepting an assignment and then leaving or failing to complete the assignment, including a supervisory assignment, without notifying the appropriate personnel and confirming that assignment responsibilities will be met;

(4) Conduct related to communication:

(a) Failure to document the practice of nursing in a timely, accurate, thorough, and clear manner;

(c) Failure to document data and information pertinent to a client's status;

(e) Entering inaccurate, incomplete, falsified, fabricated or altered documentation into a health record or employer record. This includes but is not limited to:

(A) Documenting the practice of nursing that did not occur;

- (D) Falsifying data;
- (E) Altering words or characters within another person's established document or record entry;
- (i) Failing to communicate information regarding the client's status to members of the practice team in an ongoing and timely manner as appropriate to the context of care; or
- (8) Other conduct derogatory to the practice of nursing;
- (k) Except as authorized through a medical order written by a person authorized to prescribe the medication:
- (A) Possessing, obtaining, or attempting to obtain a prescription medication or controlled medication [.]

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 Pamela Lewis of 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 on average, and no more than one (1.0) FTE in a setting where Licensee is able to exercise the full extent of scope of duties in order to demonstrate whether or not Licensee is competent. Limited overtime may be approved on occasion.

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

- 1) Licensee shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
- 2) Licensee shall have thirty-six (36) months from Board acceptance of this Stipulated Order to complete twenty- four (24) months of monitored practice.
- 3) Licensee shall notify Board staff, in writing, prior to any change of contact information which includes address, email address, and phone number.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall inform Board staff in advance of any move from Oregon. If Licensee leaves the State and is unable to practice in the State of Oregon, Licensee's probationary status will be re-evaluated. If monitoring is approved and transferred to another Board of Nursing, Licensee shall successfully complete all requirements of the Board Order of the other jurisdiction. Licensee shall be required to ensure the Oregon State Board of Nursing receives quarterly reports documenting the Licensee's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While licensee practices in another state, those hours will only be counted toward her Oregon probation if the position meets the monitoring requirements per line ten (10) of this stipulated order.

6) Licensee shall maintain monthly contact by phone, electronic or virtual methods to designated Board staff for interviews during the probationary period. Frequency or type of contact may be reviewed and revised periodically at the discretion of Board staff. This includes being required to attend an in-person meeting.

7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether a felony, misdemeanor, violation, or citation within ten (10) days of the occurrence.

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

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

10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Licensee's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Licensee shall be employed in a setting where Licensee's nursing supervisor agrees to submit written evaluations of work performance (on forms provided by the Board) every three (3) months during the probationary period. The quarterly evaluation is expected to be received by Board staff within ten (10) days of the due date. If the evaluation is not timely received, Board staff will contact the employer with a reminder. If Board staff is not in receipt of the report within five (5) business days from the reminder date, Licensee may be restricted from practicing as a nurse.

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

12) Licensee shall notify Board staff when there is a change in status of employment including resignations, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.

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

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

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

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

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

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

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

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

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

Licensee understands that this Stipulated Order is a public record.

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

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

IT IS SO AGREED:

[Redacted Signature]

Pamela Lewis, RN

4.10.25

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Marcus Cooksey, MSN, APRN-FNP  
Board President

06/25/25

Date

**PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING**

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|  |                       |  |
|--|-----------------------|--|
| <b>In the Matter of</b><br><b>Johnson Pierre Louis, CNA</b><br><br><b>License No. 202208738CNA</b> | )<br>)<br>)<br>)<br>) | <b>FINAL ORDER OF REVOCATION</b><br><b>BY DEFAULT</b><br><br><b>Reference No. 2023080071</b> |
|--|-----------------------|--|

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants, pursuant to ORS 678.010 through ORS 678.448.

Johnson Pierre Louis (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on 06/27/2022.

This matter was considered by the Board at its meeting on April 16, 2025.

On April 17, 2025, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant Certificate of Johnson Pierre Louis was sent to Certificate Holder via email, certified and first-class mail to the address of record.

The Notice alleged that Certificate Holder failed to follow a Board order.

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

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

**-I-**

**FINDINGS OF FACT**

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

1. Certificate Holder was issued a Certified Nursing Assistant Certificate in the state of Oregon on 06/27/2022.
2. On or about July 17, 2024, Certificate Holder was issued a Default Final Order of Suspension with Special Conditions. This Default Final Order required Certificate



Holder to complete a sixty (60) day suspension as well as a PBI Professional Boundaries education course during that sixty-day suspension period. The Default Final order additionally stated that Certificate Holder shall send a certificate of completion from the PBI course to the Board. The Default Final Order of Suspension with Special Conditions was sent to Certificate Holder via email, first-class and certified mail to his address of record.

3. Certificated Holder failed to complete the required PBI Professional Boundaries course within the stated time frame in the Default Final Order of Suspension with Special Conditions.
4. On April 17, 2025, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via email, 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, Johnson Pierre Louis, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(f) and OAR 851-063-0090(10)(c)(d) which read as follows:

#### **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:

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

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

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

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



**-III-**

**ORDER**

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

ORDERED that the Certified Nursing Assistant Certificate of Johnson Pierre Louis is REVOKED.

DATED this 25<sup>th</sup> day of June 2025

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



Marcus Cooksey  
Board President

TO: Johnson Pierre Louis:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

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

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|   |                                      |
|---|--------------------------------------|
| <b>In the Matter of</b>                   | ) <b>FINAL ORDER OF DENIAL OF</b>    |
| <b>Latanya Scott Henry</b>                | ) <b>REGISTERED NURSE LICENSE BY</b> |
|   | ) <b>DEFAULT</b>                     |
|   | )                                    |
| <b>Registered Nurse License Applicant</b> | ) <b>Reference No. 2023110049</b>    |

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses and Registered Nurse license applicants, pursuant to ORS 678.010 through ORS 678.448. Latanya Scott Henry (Applicant) applied for a Registered Nurse license in the state of Oregon in or about July 2023.

This matter was considered by the Board at its meeting on June 25, 2025.

On April 23, 2025, a Notice stating that the Board intended to deny the application for a Registered Nurse license was sent to Applicant via certified and first-class mail.

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. In July 2023, Applicant submitted an endorsement application for Registered Nurse license.
2. The Applicant failed to complete a final clinical practicum as per Oregon's requirements.
3. On April 16, 2025, the Board voted to issue a Notice of Proposed Denial of Registered Nurse License.
4. On April 23, 2025, Board staff mailed a Notice of Proposed Denial of Registered Nurse License to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the relevant portions of Board's files would be the record for purposes of default.

## **II**

### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over Applicant, Latanya Scott Henry, and over the subject matter of this proceeding.
2. Due to the lack of the final clinical practicum, Applicant's education does not include a clinical component that meets the definitions in OAR 851-006-0030(5) and 851-006-0140(15). Accordingly, Applicant's education does not meet the requirements of ORS 678.040(2)(b) and the application may be denied pursuant to ORS 678.111(1)(g).
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 license is denied.

**06/25/25**

\_\_\_\_\_  
Date

**FOR THE OREGON STATE BOARD OF NURSING**

\_\_\_\_\_  
Marcus Cooksey, MSN, APRN, FNP  
Board President

**TO Latanya Scott Henry:**

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|   |                                      |
|---|--------------------------------------|
| <b>In the Matter of</b>                   | ) <b>FINAL ORDER OF DENIAL OF</b>    |
| <b>Adam Sommer</b>                        | ) <b>REGISTERED NURSE LICENSE BY</b> |
|   | ) <b>DEFAULT</b>                     |
|   | )                                    |
| <b>Registered Nurse License Applicant</b> | ) <b>Reference No. 2022120074</b>    |

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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 (RN) and Registered Nurse license applicants, pursuant to ORS 678.010 through ORS 678.448. Adam Sommer (Applicant), applied for an RN License (by endorsement) in the state of Oregon on or about July 22, 2022.

This matter was considered by the Board at its meeting on June 25, 2025.

On March 20, 2025, a Notice stating that the Board intended to deny the application for a Registered Nurse license was sent to Applicant via certified and first-class mail.

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

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

**I**

**FINDINGS OF FACT**

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

1. On or about July 22, 2022, Applicant applied for an RN license. Question 3 of the application, asks: "Have you ever pled guilty, been convicted of, pled No Contest, or entered into an Alford plea for a felony or misdemeanor?" Applicant answered "no" to this question.

Applicant's answer was not accurate. At the time of the application, Applicant had the following convictions from Washington State:

- 2003 Driving Under the Influence
- 2014 Negligent Driving
- 2022 Hit and Run
- 2022 Negligent Driving.

2. On January 4, 2024, Board staff sent an email to the email address provided by Applicant requesting an explanation of the convictions and Applicant's failure to disclose them on the application. Applicant was also asked to provide relevant court documents. On January 17, 2024, Applicant requested more time to gather information and respond to the request for records.

On July 17, 2024, Board staff sent a letter by US Mail to the mailing address provided by Applicant requesting an explanation of the convictions and Applicant's failure to disclose them on the application. Applicant was also asked to provide relevant court documents. Applicant did not respond to the Board's requests.

On August 20, 2024, Board staff called the phone number provided by Applicant and left a voice mail message requesting he call back or respond by email. No response was received.

3. On February 19, 2025, the Board reviewed the facts of the case against Applicant and voted to issue a Notice of Proposed Denial of Registered Nurse License.
4. On March 20, 2025, Board staff mailed a Notice of Proposed Denial of Registered Nurse License to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

## II

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over Applicant, Adam Sommer, and over the subject matter of this proceeding.
2. By failing to disclose each of the convictions identified above, Applicant submitted a false statement on the application and is subject to denial pursuant to ORS 670.280(3); ORS 678.111(1)(a)(c)(f), and (2); and former OAR 851-045-0070(9)(a) and (10)(b) (*effective August 1, 2017 through June 30, 2024*). The three instances of failing to provide the information requested by Board staff constitutes conduct derogatory to the standards of nursing pursuant to former OAR 851-045-0070(10)(a) and (c) (*effective August 1, 2017 through June 30, 2024*) and current OAR 851-045-0070(10)(a) and (c) (*effective July 1, 2024*) and constitute a basis for denial pursuant to ORS 670.280(3) and ORS 678.111(1)(f) and (2).
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 license is denied.

**06/25/25**

\_\_\_\_\_  
Date

FOR THE OREGON STATE BOARD OF NURSING

  
Marcus Cooksey, MSN, APRN, FNP  
Board President

TO Adam Sommer:

You are entitled to judicial review of this Order pursuant to ORS 183.482. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of service of this Order.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Angela Southard, LPN**

**) STIPULATED ORDER FOR  
) PROBATION**

**)  
)**

**License No. 201603683LPN**

**) Reference No. 2024040242**

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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. Angela Southard (Licensee) was issued an LPN license by the Oregon State Board of Nursing on May 31, 2016.

On or about January 5, 2024, the Board received information that Licensee had entered into a Consent Agreement for probation with the Arizona (AZ) Board of Nursing (BON) related to DUI conviction, substance use and mental health on August 15, 2023. The finding of fact from the AZ consent agreement included – 1.) On October 30, 2022 licensee self-reported that on October 23, 2022 she was arrested in Flagstaff, for driving under the influence (DUI). 2.) On January 23, 2023, Licensee plead guilty to DUI. 3.) On June 13, 2023, licensee submitted to a psychological evaluation to include substance abuse evaluation. Licensee was diagnosed with 3 mental health issues and was assigned recommendations for treatment, monitoring and drug testing.

On September 30, 2024, as part of her consent agreement, licensee was selected for a random Phosphatidylethanol (Peth) blood alcohol testing. The results were positive at 381ng/ml. On October 8, 2024, licensee notified AZ BON staff that her test result was positive because she had consumed alcohol.

On October 10, 2024, licensee requested to voluntarily surrender her Arizona LPN license, related to failing to follow a board order of abstaining from alcohol.

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 Angela Southard 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 on average, 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 contact information which includes address, email address, and phone number.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall inform Board staff in advance of any move from Oregon. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated. If monitoring is approved and transferred to another Board of Nursing, Licensee shall successfully complete all requirements of the Board Order of the other jurisdiction. Licensee shall be required to ensure the Oregon State Board of Nursing receives quarterly reports documenting the Licensee's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While licensee practices in another state, those hours will only be counted toward licensee's Oregon probation if the position meets the monitoring requirements per line ten (10) of this stipulated order.
- 6) Licensee shall maintain monthly contact by phone, electronic or virtual methods to designated Board staff for interviews during the probationary period. Frequency or type of contact may be reviewed and revised periodically at the discretion of Board staff. This includes being required to attend an in-person meeting.
- 7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within ten (10) 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, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.

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 will maintain and engage in at least once a month mental health therapy with an individual provider and provide proof of attendance to Board staff. Licensee shall participate in and comply with any treatment recommendations set forth by their provider. Licensee shall ensure that Board staff receive monthly status reports from the treatment provider. 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, THC including CBD products, 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 diagnoses 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.

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

IT IS SO AGREED:



Angela Southard, LPN

04/09/25

Date

**ORDER**

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Janet Surban, RN**

) **STIPULATED ORDER FOR  
REPRIMAND OF LICENSE**

**License No. 200540734RN**

) **Reference No. 2023120171**

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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 RN's pursuant to **ORS 678.010 through ORS 678.448**.

Janet Surban (Licensee) was issued an RN License by the Board on May 18, 2005.

On or about December 14, 2023, the Board received information that Licensee had failed to communicate a client's change in condition to other members of the healthcare team, while the owner of an Adult Foster Care home.

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

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

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

***Former 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined (effective 1/1/2023-7/1/2024)***

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.



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

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

**That the Registered Nurse License of Janet Surban 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 danger to public health and safety.

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

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

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

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

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

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

[Redacted Signature]

Janet Surban, RN LPN

4-24-2025

Date

**ORDER**

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

**06/25/25**

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING



**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Chelsea Whitmore**

) **STIPULATED ORDER FOR  
PROBATION**

**License No. 201802364RN**

) **Reference No. 2024080010**

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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 (RN), pursuant to ORS 678.010 through ORS 678.448.

Chelsea Whitmore (Licensee) was issued an RN license by the Oregon State Board of Nursing on March 29, 2018. The license expired on April 12, 2019. On June 10, 2024, Licensee applied for reactivation of her RN license.

Licensee's Montana RN license was suspended by Montana Board of Nursing (MBON) on January 24, 2024, for three prior convictions of driving under the influence of intoxicants. Licensee completed a substance use evaluation on March 27, 2025. The results of the evaluation support a period of monitored practice upon reactivation of the Oregon RN license.

Licensee is subject to discipline pursuant to ORS 670.280(2)(3), ORS 678.111(1)(a)(e)(g)(h) and ORS 676.303(b) which read as follows:

**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:**

(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. There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation does not make an applicant for an occupational or professional license or a licensee with an occupational or professional license unfit 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.

**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, and except as provided in ORS 678.138:**

(1) The Oregon State Board of Nursing may refuse to issue a license to practice nursing by examination or indorsement or a nurse internship license or may revoke or suspend a license, issue a limited license, censure or reprimand or place on probation, subject to any conditions imposed by the board, a person issued a license, for any of the following causes:

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

(e) Impairment as defined in ORS 676.303.

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

(h) Revocation or suspension of a license to practice nursing by any state or territory of the United States, or any foreign jurisdiction authorized to issue nursing credentials whether or not that license or credential was relied upon in issuing that license in this state. A certified copy of the order of revocation or suspension shall be conclusive evidence of the revocation or suspension.

**ORS 676.303 Purposes of health professional regulatory boards**

(b) "Impairment" means an inability to practice with reasonable competence and safety due to the habitual or excessive use of drugs or alcohol, other chemical dependency or a mental health condition.

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 Chelsea Whitmore 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 on average, 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 contact information which includes address, email address, and phone number.

4) Licensee shall maintain an active license.

5) Licensee shall inform Board staff in advance of any move from Oregon. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated. If monitoring is approved and transferred to another Board of Nursing, Licensee shall successfully complete all requirements of the Board Order of the other jurisdiction. Licensee shall be required to ensure the Oregon State Board of Nursing receives quarterly reports documenting the Licensee's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While licensee practices in another state, those hours will only be counted toward licensee's Oregon probation if the position meets the monitoring requirements per line ten (10) of this stipulated order.

6) Licensee shall maintain monthly contact by phone, electronic or virtual methods to designated Board staff for interviews during the probationary period. Frequency or type of contact may be reviewed and revised periodically at the discretion of Board staff. This includes being required to attend an in-person meeting.

7) Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within ten (10) 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, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.

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. Licensee shall ensure that Board staff receive monthly status reports from the treatment provider. 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, THC including CBD products, 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 diagnoses 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.

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

IT IS SO AGREED:

[REDACTED]

Chelsea Whitmore

05/20/25

Date

**ORDER**

IT IS SO ORDERED:

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

[REDACTED]

Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

|                                    |                                   |
|------------------------------------|-----------------------------------|
| <b>In the Matter of</b>            | <b>) STIPULATED ORDER FOR</b>     |
| <b>Crystal Yarnall, RN APRN-NP</b> | <b>) REPRIMAND OF LICENSE</b>     |
|                                    | <b>)</b>                          |
| <b>License No. 202100029NP-PP</b>  | <b>) Reference No. 2023100300</b> |

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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 RN and APRN-NPs, pursuant to ORS 678.010 through ORS 678.448.

Crystal Yarnall (Licensee) was issued an RN license by the Board on December 21, 2020 and an APRN-NP license by the Board on January 4, 2021.

On or about October 31, 2023, the Board received information that Licensee practiced outside their scope as a Family Nurse Practitioner, failing to adequately assess a patient with complex psychiatric conditions and prescribing controlled medications that put the patient at risk.

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

**ORS 678.111 (1)(f), OAR 851-045-0070 (1)(a), (2)(a)(b)(c), (3)(c)(f), OAR 851-055-0072 (1), (2)(d)(g)(i).**

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

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

(f) Conduct derogatory to the standards of nursing.

**851-045-0070 Conduct Derogatory to the Standards of Nursing Defined (*effective date 1/1/2023*)**

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



(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;

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

(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:

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

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

**851-055-0072 Conduct Derogatory to the Standards of Nursing of Prescriptive or Dispensing Privilege (*effective date 10/1/2023*)**

(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 a preponderance of evidence that the authority has been abused.

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

(d) Prescribing, dispensing or distributing drugs to an individual not within the scope of practice or population foci;

(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;

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 APRN-NP License of Crystal Yarnall 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 they engage in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against their license, up to and including revocation of their license to practice as an APRN-NP.

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

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

Licensee understands that federal law requires state licensing boards to report adverse actions (resulting from formal proceeding) to the National Practitioner Data Bank (NPDB) within 30 days from the date the action was taken.

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



Crystal Yarnall, RN APRN-NP

05/27/25

Date

### **ORDER**

IT IS SO ORDERED:

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



Marcus Cooksey, MSN, APRN, FNP  
Board President

06/25/25

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING