

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Kimberly Akinola, LPN) **REPRIMAND OF PRACTICAL NURSE**
) **LICENSE**

License No. 202104979LPN) **Reference No. 2022120013**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses (LPNs). Kimberly Akinola (Licensee) was issued a Practical Nurse License by endorsement by the Board on May 28, 2021.

On or about December 6, 2022, the Board received information alleging that Licensee applied diclofenac gel to a hospital patient's shoulder without a provider order for the medication. It was further alleged that Licensee obtained the diclofenac from another patient's supply and that Licensee failed to document the administration of the medication in the patient's chart.

Licensee admits that the above allegations are true. Licensee completed a nursing continuing education course, "Critical Thinking," and reviewed the standards and scope of practice rules of the Oregon Nurse Practice Act.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

(4) Conduct related to communication:

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

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

That the Practical Nurse License of Kimberly Akinola 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 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 her license to practice as a Licensed Practical Nurse.

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

Licensee understands that by signing this Stipulated Order, 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 her 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]

06/07/23

Kimberly Akinola, LPN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

Date

6/21/23

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Dragos Angel, RN**

) **STIPULATED ORDER FOR
) REPRIMAND OF LICENSE
)**

License No. 200640152RN

) **Reference No. 2023030135**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Dragos Angel (Licensee) was issued a RN License by the Board on 01/12/2006.

On or about 03/16/2023, the Board received information that Licensee was suspected of committing a boundary violation while employed as a Registered Nurse at a medical facility. While employed in this capacity, Licensee corresponded with a patient at this facility, via personal email for an approximate two-week period. During some of that period, Licensee was responsible for providing direct medical care for this patient. Licensee shared personal information regarding his daily life with the patient. Licensee provided this patient with gifts, which included food as well as other items this patient found of interest. Licensee failed to notify any hospital staff of the correspondence. Licensee ultimately stopped responding to emails from this patient. Licensee recognizes the negative impact these interactions may have had on patient treatment/recovery.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

That the Registered Nurse License of Dragos Angel 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 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, 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.


Dragos Angel, RN


Date

06/01/2023

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON


Judith Woodruff, JD
Board President

Date

6/21/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR 30 DAY**
Christina De Paz, LPN) **SUSPENSION OF LICENSED**
) **PRACTICAL NURSE LICENSE**
) **WITH SPECIAL CONDITIONS**
License No. 201600112LPN) **Reference No. 2022110133**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Licensed Practical Nurses. Christina De Paz (Licensee) was issued a Practical Nurse license by the Board on April 9, 2010.

On or about November 15, 2022, the Board received information that Licensee allegedly fraudulently charted information that Licensee conducted patient visits which were not conducted. The Board opened an investigation.

During the investigation, the Board discovered that on November 10, 2022, Licensee documented in the medical records that she had provided care during patient visits that did not occur.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(d)(f)(g) and OAR 851-045-0070(1)(b), (4)(c)(B)(E)

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

- (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused, or the license may be revoked or suspended, or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
 - (d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice.
 - (f) Conduct derogatory to the standards of nursing.
 - (g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

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

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

- (1) Conduct related to general fitness to practice nursing:
- (b) Demonstrated incidents of dishonesty, misrepresentation, or fraud.
- (4) Conduct related to communication:

- (c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or agency records. This includes but is not limited to:
- (B) Documenting the provision of services that were not provided;
 - (E) Falsifying data;

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 LPN license of Christina De Paz be SUSPENDED for 30 days, and has agreed to start suspension on July 23, 2023, after June Board meeting when this Order is signed by the Oregon State Board of Nursing. Licensee will complete the following continuing education courses within 30 days this order is signed by the Board President:

- ANA (American Nurses Association) Everyday
- Ethics: Guiding Nursing Practice and Documentation for Nurses, 4th Edition – Elite Learning.

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 LPN.

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 order 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 Suspension.


Christina De Paz, LPN

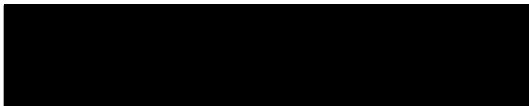
05/25/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

A handwritten signature in blue ink, partially overlapping the text of the Board President's name.

6/21/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER BY DEFAULT OF**
Kalie Dutra, LPN) **REPRIMAND OF LICENSE**
) **WITH PROBATIONARY CONDITIONS**
) **AND CIVIL PENALTIES**
)
License No. 201610164LPN) **Reference No. 2022120254**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Licensed Practical Nurses. Kalie Dutra (Licensee) was issued a Licensed Practical Nurse License by the Board on 12/27/2016.

This matter was considered by the Board at its meeting on June 21, 2023.

On 05/22/2023, a Notice stating that the Board intended to Reprimand, Impose Probationary Conditions and Civil Penalties on the Licensed Practical Nurse License of Kalie Dutra was sent to Licensee via certified mail to the address of record as well as to the verified email address.

The Notice alleged that Licensee, during the month of October 2022 used the camera feature on her personal cell phone and photographed a medication bottle belonging to a patient. The photograph included partial name and medical record number belonging to the patient.

Licensee, during the month of October 2022 used the camera feature on her personal cell phone and photographed a medication chart belonging to the same patient referred to in Paragraph II. The photograph included the patient's name as well as the name of the medication for the patient.

Licensee, during the month of October 2022 sent the two photographs, described in Paragraphs II and III, to her ex-husband via text message from her personal cell phone. Licensee did not have a valid authorization to provide the patient's medical information to the third party. Additionally, Licensee sent these photographs to the third party in an unsecured manner.

On 04/11/2023 board staff sent Licensee a letter request for an additional interview in this investigation. Licensee was given to 04/16/2023 to arrange an interview with board staff. Licensee failed to contact board staff. Board staff sent emails to Licensees verified email address on 04/20/2023, 04/26/2023, 05/01/2023 and requested further contact. Licensee did not respond to any emails.

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. Kalie Dutra was issued a Licensed Practical Nurse License in the State of Oregon on 12/27/2016.
2. that Licensee, during the month of October 2022 used the camera feature on her personal cell phone and photographed a medication bottle belonging to a patient. The photograph included partial name and medical record number belonging to the patient.
3. Licensee, during the month of October 2022 used the camera feature on her personal cell phone and photographed a medication chart belonging to the same patient referred to in Paragraph II. The photograph included the patient's name as well as the name of the medication for the patient.
4. Licensee, during the month of October 2022 sent the two photographs, described in Paragraphs II and III, to her ex-husband via text message from her personal cell phone. Licensee did not have a valid authorization to provide the patient's medical information to the third party. Additionally, Licensee sent these photographs to the third party in an unsecured manner.
5. On 04/11/2023 board staff sent Licensee a letter request for an additional interview in this investigation. Licensee was given to 04/16/2023 to arrange an interview with board staff. Licensee failed to contact board staff. Board staff sent emails to Licensees verified email address on 04/20/2023, 04/26/2023, 05/01/2023 and requested further contact. Licensee did not respond to any emails.
6. On 05/22/2023 Board staff mailed a Notice of Proposed Reprimand of License with Probationary Conditions and Civil Penalties via certified mail. An additional copy of this notice was sent to Licensee's verified email address. 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 Licensed Practical Nurse License, Kalie Dutra, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(f) and (g) and OAR 851-045-0070(8)(b)(p) and OAR 851-045-0070(10)(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.

(g) Violation of any provision of ORS 678.010 to 678.442 or rules adopted thereunder.

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

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

- (8) Conduct related to other federal or state statute or rule violations:
- (b) Violating the rights of privacy, confidentiality of information, or knowledge concerning the client, unless required by law to disclose such information,
- (p) Engaging in unsecured transmission of protected client data.
- (10) Conduct related to the licensee's relationship with the Board:
- (a) Failing to fully cooperate with the board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege;

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

- (1) The Oregon State Board of Nursing shall adopt by rule a schedule establishing the amount of civil penalty that may be imposed for any violation of ORS 678.010 to 678.445 or any rule of the board. No civil penalty shall exceed \$5,000.
- (2) In imposing a penalty pursuant to this section, the board shall consider the following factors:
 - (a) The past history of the person incurring the penalty in observing the provisions of ORS 678.010 to 678.448 and the rules adopted pursuant thereto.
 - (b) The economic and financial conditions of the person incurring the penalty.
- (3) Any penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the board considers proper and consistent with the public health and safety.
- (4) Civil penalties under this section shall be imposed as provided in ORS 183.745.
- (5) All penalties recovered under this section shall be credited to the special account described in ORS 678.170.

OAR 851-001-0009 Imposition of Civil Penalties: Imposition of a civil penalty does not preclude disciplinary sanction against the license or certificate holder and disciplinary sanction against the license or certificate does not preclude imposing a civil penalty. Criminal conviction does not preclude imposition of a civil penalty for the same offense.

- (3) A civil penalty of a minimum \$500 to a maximum of \$5000 per violation is assessed for any of the following:
 - (a) Conduct derogatory to the standards of nursing or conduct unbecoming a Nursing Assistant.

III

ORDER

The foregoing violations are grounds to Reprimand Kalie Dutra's Licensed Practical Nurse License and place Licensee's Licensed Practice Nurse License on probation subject to the following conditions:

- 1. Within 60 days of entry of a final order, Licensee will complete the following education and provide proof of completion to board staff:
 - a. (ICRS) Patient Privacy; and
 - b. (Nursing CE) HIPAA Compliance.
- 2. Upon request from Licensee, Board staff may substitute a course comparable in cost and content for either of the above-listed courses if one of the above-listed courses becomes unavailable within 60 days from entry of a final order.

Additionally, the violations in Paragraph I, numbers 2, 3 and 4 are grounds to impose three civil


penalties of \$500 each, totaling \$1,500, as follows:

1. \$500 for the violation described in Paragraph II;
2. \$500 for the violation described in Paragraph III, and
3. \$500 for the violation described in Paragraph IV.

Each violation is a separate and independent basis for discipline.

DATED this 21st day of June, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON



Judith Woodruff, MD
Board President

TO: Kalie Dutra,

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482. As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Jeffery Foley, RN	) REPRIMAND OF REGISTERED NURSE LICENSE
)
License No. 201040647RN	) Reference No. 2023010031

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse License. Jeffery Foley (Licensee) was issued a Registered Nurse license by the Board on April 8, 2010.

On or about January 6, 2023, the Board received information that Licensee attempted to escort the patient out of the lobby in the parking lot. During this process the patient fell to the ground at which point Licensee drug the patient by their jacket outside.

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

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

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

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

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

That the Registered Nurse Licensee of Jeffery Foley 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 licensee, 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, 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.

[Redacted Signature]

Jeffery Foley, RN

May 31, 2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

6/21/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Tiffany Fregoso, RN	) VOLUNTARY SURRENDER
	) OF REGISTERED NURSE LICENSE
License No. 202005781RN	) Reference No. 2022100108

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Tiffany Fregoso (Licensee) was issued a Registered Nurse License by the Board on July 13, 2020.

On or about October 17, 2022, the Board received a complaint alleging Licensee had been arrested on October 8, 2022, for sex crimes involving a minor. Additional complaints involving similar allegations were also received by the Board and that Licensee was alleged to have provided alcohol to minors.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

(l) Failing to report actual or suspected incidents of abuse, neglect or mistreatment;

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

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

That the voluntary surrender of the Registered Nurse license of Tiffany Fregoso be accepted. If, after a minimum of three years, Tiffany Fregoso wishes to reinstate their Registered Nurse License, Tiffany Fregoso may submit an application to the Board to request reinstatement.

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

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

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

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

Licensee 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 Voluntary Surrender.



Tiffany Fregoso, RN

06/04/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

Date 6/21/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Angela Gage,**

) **STIPULATED ORDER FOR
) WITHDRAWAL OF CERTIFIED
NURSING ASSISTANT APPLICATION**

License No. Applicant

)
) **Reference No. 2023050214**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certificate Holders. Angela Gage (Applicant) applied for a Certified Nursing Assistant (CNA) certificate on March 21, 2023.

On May 30, 2023, Applicant was contacted by phone for information related to the Board's investigation about her application listing 1999 as her issuance date of her Texas CNA, and the provided 2021 documentation of completing her CNA. She provided an explanation for the discrepancy and was asked to provide the Board with her 1999 license to the Board. Applicant reported that she didn't need the Oregon certificate and requested to withdraw her application.

By the above actions, Applicant is subject to discipline pursuant to ORS 678.442(2)(d), (f) and OAR 851-063-0090(10)(a) which provide as follows:

ORS 678.442 Certification of nursing assistants; rules.

(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:(d) Violation of any provisions of ORS 678.010 to 678.448 or rules adopted thereunder. (f) Conduct unbecoming a nursing assistant in the performance of duties.

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

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

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

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

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

That Angela Gage's application for Nursing Assistant Certificate be withdrawn.

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

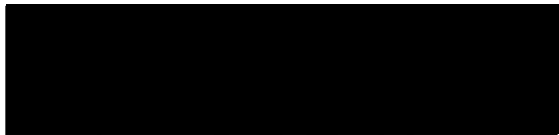
Applicant understands that by signing this Stipulated Order, applicant waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof.

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

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

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

IT IS SO AGREED:



Angela Gage,

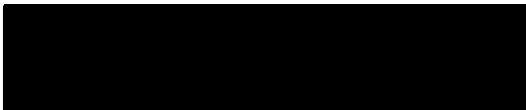
51.30.23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

6/21/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)

In the Matter of) **FINAL ORDER OF REVOCATION**
Leanne Gettmann, CNA) **BY DEFAULT**

)
)

Certificate No. 201709875CNA) **Reference No. 22-00180**

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. Leanne Gettmann (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on November 30, 2017.

This matter was considered by the Board at its meeting on June 21, 2023.

On May 18, 2023, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant Certificate of Leanne Gettmann was sent to Certificate Holder via certified and first-class mail to the address of record.

The Notice alleged that Certificate Holder on or about September 3, 2021, Licensee was reported to the Board for abandoning her patient(s). The Board opened an investigation into the matter. The Board alleges that on or about August 30, 2021, licensee was working and assigned her duties at 1400 hours. She was not seen again after 1545 hours, and never contacted anyone at the facility. The Board alleges that on or about November 4, 2021, licensee was mailed a notice of investigation which asked her to respond. Licensee was mailed a second final notice on November 18, 2021, to respond to the Board by scheduling an interview, provide a statement, along with a work history. Licensee failed to respond to the Board's requests. The Board alleges that on or about January 13, 2022, The Board voted to issue a Notice of Proposed Suspension to the licensee for failing to cooperate with a Board's investigation. Licensee was mailed the Notice via USPS first class and certified mail. Licensee was issued a Final Order by default for suspension after she failed to respond to the Board's Notice. Licensee was mailed the Final Order via USPS first class and certified mail.

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 November 30, 2017.
2. On or about September 3, 2021, Licensee was reported to the Board for abandoning her patient(s). The Board opened an investigation into the matter.
3. The Board alleges that on or about August 30, 2021, licensee was working and assigned her duties at 1400 hours. She was not seen again after 1545 hours, and never contacted anyone at the facility. ORS 678.442(f), OAR 851-063-0090(1)(a)(2)(a)(3)(e)
4. The Board alleges that on or about November 4, 2021, licensee was mailed a notice of investigation which asked her to respond. Licensee was mailed a second final notice on November 18, 2021, to respond to the Board by scheduling an interview, provide a statement, along with a work history. Licensee failed to respond to the Board's requests.
5. The Board alleges that on or about January 13, 2022, The Board voted to issue a Notice of Proposed Suspension to the licensee for failing to cooperate with a Board's investigation. Licensee was mailed the Notice via USPS first class and certified mail. Licensee was issued a Final Order by default for suspension after she failed to respond to the Board's Notice. Licensee was mailed the Final Order via USPS first class and certified mail.
6. On May 18, 2023, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

- 1) That the Board has jurisdiction over the Certificate Holder, Leanne Gettmann, and over the subject matter of this proceeding.
- 2) That Certificate Holder's conduct is in violation of ORS XX ORS 678.442(f), OAR 851-063-0090(1)(a)(2)(a)(3)(e)(10)(a)(c) which read as follows:
ORS 678.442 Certification of nursing assistants; rules. (2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:(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:

Demonstrated incidents of violent, abusive, neglectful or reckless behavior; or

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

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

(3) Conduct related to client safety and integrity:

(e) Leaving or failing to complete a nursing assistant assignment without properly notifying appropriate supervisory personnel;

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

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

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

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 Leanne Gettmann is REVOKED.

DATED this 21st day of June, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON


Judith Woodruff,
Board President

TO: LEANNE GETTMANN:

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

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

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

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)
In the Matter of	) FINAL ORDER OF 120 DAY
Michelle Green, LPN	) SUSPENSION BY DEFAULT
	) WITH SPECIAL CONDITIONS
)
License No. 202109822LPN	) Reference 2022100127

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including LPN Nurses. Michelle Ann Green (Licensee) was issued a Licensed Practical Nurse License by the Board on September 14, 2021.

This matter was considered by the Board at its meeting on June 21, 2023.

On May 18th, 2023, a Notice stating that the Board intended to Suspend the Licensed Practical Nurse License of Michelle Green was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee on or about October 20, 2022, licensee was assigned to provide medications and care to inmates in a correctional facility. Licensee documented that she provided care and medications to inmates on floor 200 of the facility. Board staff found no inmates received these medications or care on floor 200, that were documented in their medical records by licensee. Licensee acknowledged her errors to the Board in her written statement.

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. Michelle Green was issued a Licensed Practical Nurse License in the state of Oregon on September 14, 2021.

2. On or about October 20, 2022, licensee was assigned to provide medications and care to inmates in a correctional facility. Licensee documented that she provided care and medications to inmates on floor 200 of the facility. Board staff found no inmates received these medications or care on floor 200, that were documented in their medical records by licensee.
3. On May 18, 2023, Board staff mailed a Notice of Proposed Suspension to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensed Practical Nurse License, Michelle Green, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(4)(a)(c)(A)(B)(E)

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

(4) Conduct related to communication:

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

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

(A) Documenting nursing practice implementation that did not occur;

(B) Documenting the provision of services that were not provided;

(E) Falsifying data;

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

-III-

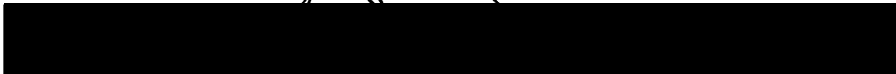
ORDER

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

ORDERED that the Licensed Practical Nurse License of Michelle Green is **SUSPENDED** for 120 days with special conditions, commencing five business days from the date this Order is signed. These violations are grounds for Licensee to complete continued education course: PBI Medical Ethics & Professionalism Course (ME-24), within 60 days of the Board signing.

DATED this 21st day of June, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON



Judith Woodruff, JD
Board President

TO: Michelle Green:

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

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

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Kevin Guirand,) **WITHDRAWAL OF REGISTERED**
APPLICANT) **NURSE LICENSE APPLICATION**

License No.) **Reference No. 2022110143**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Kevin Guirand (Applicant) submitted an application for a Registered Nurse license to the Board of Nursing on or about July 6, 2022.

On or about August 3, 2021, the Board received information which gave cause for concern with the transcript Applicant submitted with her application for licensure. Applicant's school was under investigation by the Federal Bureau of Investigation (FBI) for selling fraudulent diplomas and transcripts. The Board opened an investigation into the matter.

On or around May 11, 2023, Applicant acknowledged the Board's concern with his transcript and agreed to withdrawal his application for licensure.

By the above actions, Applicant is subject to discipline pursuant to ORS 670.280(1)(a)(b)(3) and OAR 851-031-0006(1)(a)(B), which read as follows:

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.

(3) Except as provided in ORS 342.143 (Issuance of license and registrations) (3) and 342.175 (Grounds for discipline) (3), a licensing board, commission or agency may deny any occupational or professional license or impose discipline on a license based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. [1973 c.359 §1; 1991 c.662 §6a; 2003 c.749 §13; 2009 c.386 §5]

OAR 851-031-0006 General Eligibility Requirements for All Initial Applications for License, License Renewal, and License Reactivation

(1) Eligibility:

(a) Graduation or program completion from an approved nursing program as documented in an official transcript or credentials evaluation for graduates of non-Oregon nursing programs. Graduates of nursing programs will evidence of graduation through Board designated procedures.

(B) An applicant for the registered nurse examination shall show evidence of having completed, a state approved pre-licensure, Diploma, Associate Degree, Baccalaureate Degree or Master's Degree Program in Nursing.

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

That Kevin Guirand's application for Registered Nurse License be withdrawn.

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

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

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

Applicant 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.

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

IT IS SO AGREED:



Kevin Guirand,

May 18, 2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

//

Date

6/21/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)

In the Matter of) **FINAL ORDER OF REVOCATION**
Rachel Hayes, CNA) **BY DEFAULT**

)
)

Certificate No. 200913315CNA) **Reference No. 23-00262**

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. Rachel Hayes (Licensee) was issued a Certified Nursing Assistant Certificate by the Board on December 07, 2009.

This matter was considered by the Board at its meeting on June 21, 2023.

On April 20, 2023, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant certificate of Rachel Hayes was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee on or about May 2, 2022, Certificate Holder was reported to the Board for abusing a patient. Licensee is listed on the abuse registry by an outside agency for a founded abuse case. The Board opened an investigation into the matter. Board staff determined the certificate holder verbally abused a patient by swearing and intimidating them by telling them that they better not say anything to anyone. Board's investigation additionally found the certificate holder slapped a patient. The Board alleges that on or about December 8, 2022, Board staff mailed a letter to Certificate Holder's address of record, via USPS, requesting that Certificate Holder schedule an interview to discuss the allegations. Certificate Holder was further instructed to send a written statement regarding the allegations and a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board. The Board alleges that on or about January 3, 2023, an email containing the notice of investigation letter and final notice letter was sent to the email address of record for Certificate Holder. Certificate Holder failed to respond to the Board's request to schedule an interview. On January 5, 2023, a second letter was sent to Certificate Holder's address of record requesting that Certificate Holder contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and provide a current work history. Certificate Holder failed to schedule an interview and did not provide any documents 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 Certified Nursing Assistant Certificate in the state of Oregon on December 07, 2009.
2. On or about May 2, 2022, Certificate Holder was reported to the Board for abusing a patient. Licensee is listed on the abuse registry by an outside agency for a founded abuse case. The Board opened an investigation into the matter. Board staff determined the certificate holder verbally abused a patient by swearing and intimidating them by telling them that they better not say anything to anyone. Board's investigation additionally found the certificate holder slapped a patient.
3. On or about December 8, 2022, Board staff mailed a letter to Certificate Holder's address of record, via USPS, requesting that Certificate Holder schedule an interview to discuss the allegations. Certificate Holder was further instructed to send a written statement regarding the allegations and a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
4. On or about January 3, 2023, an email containing the notice of investigation letter and final notice letter was sent to the email address of record for Certificate Holder. Certificate Holder failed to respond to the Board's request to schedule an interview. On January 5, 2023, a second letter was sent to Certificate Holder's address of record requesting that Certificate Holder contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and provide a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
5. On May 18, 2023, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Rachel Hayes, and over the subject matter of this proceeding.

2. That Licensee's conduct is in violation of ORS 678.442(2)(f), OAR 851-063-0090(8)(d), which read: ORS 678.442(2)(f) Certification of nursing assistants; rules.

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

OAR 851-063-0090(10)(a)(c) Conduct Unbecoming a Nursing Assistant:

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to: (8) Conduct related to other federal or state statutes/rule violations:

(d) Abusing a person;

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

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

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

3. That 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-

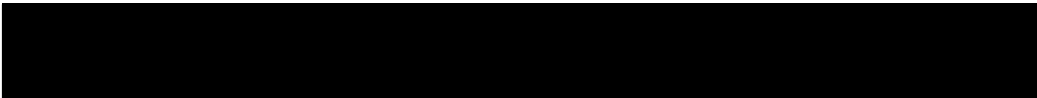
ORDER

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 Certified Nursing Assistant Certificate of Rachel Hayes is REVOKED.

DATED this 21st day of June, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON


Judith Woodruff, JD
Board President

TO: RACHEL HAYES:

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

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

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

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of William Henry, RN) STIPULATED ORDER FOR) PROBATION of REGISTERED NURSE) LICENSE)) Reference No. 2022100024
---	--

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. William Henry (Licensee) was issued a Registered Nurse by the Oregon State Board of Nursing on March 12, 2021.

On or about October 10, 2022, the Board received a report alleging that Licensee diverted opiate medications from his workplace for his personal use. A pharmacy audit revealed irregularities in Licensee's medication administration, wasting and documentation involving at least 288 doses of medication over a period of several months. The report alleged that Licensee falsified patient records and facility medication documentation to hide the diversion.

Licensee admitted that the above allegations are true. On November 9, 2022, Licensee voluntarily withdrew temporarily from nursing practice and initiated treatment for a diagnosis which meets the Board's criteria for monitored practice.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070 (2)(a), (4)(c)(A)(B), (8)(k)(l) which read as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

(4) Conduct related to communication:

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

(A) Documenting nursing practice implementation that did not occur;

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

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

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

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

That the Registered Nurse license of William Henry 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 her Oregon probation if the position meets the monitoring requirements per Section 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 for six (6) months after returning to practice, or until Licensee receives written approval from Board staff.

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

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

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

17) Licensee shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. 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 his license, up to and including revocation of his 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, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him to sign this 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 Signature]

William Henry, RN

06/01/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

6/21/23
Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Mary Kimile,) **WITHDRAWAL OF REGISTERED**
APPLICANT) **NURSE LICENSE APPLICATION**

License No.) **Reference No. 22-00081**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Mary Kimile (Applicant) submitted an application for a Registered Nurse License to the Board of Nursing on or about July 22, 2021.

On or about August 3, 2021, the Board received information which gave cause for concern with the transcript Applicant submitted with her application for licensure. Applicant's school was under investigation by the Federal Bureau of Investigation (FBI) for selling fraudulent diplomas and transcripts. The Board opened an investigation into the matter.

On or around April 20, 2023, Applicant acknowledged the Board's concern with her transcript and agreed to withdraw her application for licensure. The Board does not have reason to believe Applicant committed fraud. The Board's concern is that Applicant's education does not meet the standards for licensure.

By the above actions, Applicant is subject to discipline pursuant to OAR 851-031-0006(1)(c)(e), which read as follows:

OAR 851-031-0006 General Eligibility Requirements for All Initial Applications for License, License Renewal, and License Reactivation

(1) Limits on Eligibility:

(c) If the applicant has past, current or pending disciplinary action in another licensing jurisdiction, the Board must investigate and may deny or otherwise discipline including possible revocation of licensure.

(e) The Board is the sole judge of all documents and credentials determining eligibility for licensing.

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

That Mary Kimile's application for Registered Nurse License be withdrawn.

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

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

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

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

Applicant 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.

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

IT IS SO AGREED:

[Redacted Signature]

Mary Kimile, LPN

06/02/2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

6/21/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)
In the Matter of	) FINAL ORDER OF REVOCATION
Wendy Kucherhan, RN	) OF REGISTERED NURSE LICENSE
	) BY DEFAULT
)
License No. 200041384RN	) Reference No. 2022120108

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Wendy Kucherhan (Licensee) was issued a Registered Nurse license by the Board on 11/13/2000.

This matter was considered by the Board at its meeting on June 21, 2023.

On May 23, 2023, a Notice stating that the Board intended to Revoke the Registered Nurse license of Wendy Kucherhan was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee failed to provide RN oversight while employed with Brightstar Care.

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

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

-I-

FINDINGS OF FACT

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

1. Licensee was issued a Registered Nurse license in the state of Oregon on 11/13/2000.
2. On or about December 12, the Board opened an investigation regarding allegations that Licensee failed to provide RN oversight while employed with Brightstar Care.
3. On or about June 29, 2022, the Board received a complaint regarding a LPN, Kathleen Day, employed with Brightstar Care that had utilized tampons in their wound care to patient HG. Patient HG had a chronic chest wound that required daily dressing

changes. LPN Day had been providing wound care to this patient since 2020. On March 29, 2022, the patient was admitted to the hospital for sepsis and 5 tampons were found retained with the chest wound cavity that required surgical removal. Licensee was the RN Case Manager assigned to this patient's care.

4. The Registered Nurse Case Managers with Brightstar Care were required to complete a patient visit every 30 days. After a review of patient HG's medical records from Brightstar Care from January 2022 to April 2022, Licensee failed to document any RN supervisory visits with the patient during that time frame. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(e)(4)(a)(c)(C)**.
5. During a telephone interview with LPN Kathleen Day on October 20, 2022, she reported that Licensee was the RN Case Manager for patient HG. LPN Day stated that Licensee was not completing her own wound assessments and was relying on the assessments completed by LPN Day. LPN Day stated that Licensee was notified when LPN Day was unable to find all the tampons she had used in wound care and that it was her responsibility to notify the provider. LPN Day stated that she was not allowed to contact the patient's provider, that all communications were made by Licensee. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(e)(4)(a)(c)(C)(f)**.
6. The Board alleges that after a review of patient HG's medical records from Brightstar Care between January 2022 and April 2022, LPN Day was not completing thorough and accurate wound care documentation. LPN Day documented wound odor and drainage. There is no evidence that Licensee was providing oversight of this documentation or completed any follow up with the provider on the wound odor and drainage which could indicate wound infection. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(e)(4)(f)**.
7. LPN Day was not meeting wound care standards by measuring the wound depth with her hand, packing the wound with her fingers, and washing inside and outside the wound with a washcloth. There is no evidence to show that Licensee was providing LPN Day with wound care oversight or managing the patient's nursing plan of care. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(3)(b)(c)(e)**.
8. Patient HG's medical record from Brightstar Care indicated that as of July 29, 2021, the provider had ordered daily dry dressing changes with Kerlix, with additional changes as needed if the dressing became saturated. A telephone interview was conducted with LPN Day on October 20, 2022, who stated that Licensee was aware that there was no provider order to use tampons with the wound care and that she gave her permission to continue using the tampons. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)(b)(3)(b)(4)(f)**.
9. Licensee resigned from her RN Care Manager role with Brightstar Care on December 29, 2022, after being placed on a performance improvement plan for failing to complete client RN reassessments. Licensee failed to submit a plan for becoming

compliant with their missed assessments. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(2)(a)**.

10. Licensee failed to cooperate with a Board investigation. Board staff sent an e-mail request to Licensee on September 26, 2022, to schedule a witness interview. Licensee did not respond to this request. Board staff sent a 2nd e-mail request to Licensee on October 18, 2022, requesting they schedule a witness interview. Licensee did not respond to this request. Board staff mailed a request to schedule a witness interview to Licensee on October 21, 2022, via 1st class mail to Licensee's address of record with the Board. Licensee did not respond to this request. Board staff sent an e-mail request to Licensee on November 3, 2022, requesting that they schedule a witness interview and explaining that failing to cooperate with a Board investigate can result in discipline of their RN license. Licensee did not respond to this request. Board staff opened an investigation into Licensee's failure to provide RN oversight at Brightstar Care on December 12, 2022. Board staff sent Licensee a letter via e-mail on December 27, 2022, notifying them of the open investigation, allegations and requested they schedule an interview and submit a written statement responding to the allegations. Licensee did not respond to this request. Board staff mailed Licensee a final request to schedule an interview and submit requested documents on February 2, 2023, via 1st class and certified mail. Licensee did not respond to this request. This is in violation of **ORS 678.111(1)(f) and OAR 851-045-0070(10)(a)(c)**.
11. On May 23, 2023, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Wendy Kucherhan, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of the relevant statutes and rules set forth below:

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

(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 judgement;

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

(e) Failing to clinically supervise persons to whom an assignment has been made.

(4) Conduct related to communication:

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

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

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

(f) Failing to communicate information regarding the client's status to members of the health care team in an ongoing and timely manner as appropriate to the context of care.

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

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

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

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

-III-

ORDER

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

ORDERED that the Registered Nurse licensee of Wendy Kucherhan is REVOKED.

DATED this 21 day of June, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON



Judith Woodruff, JD
Board President

TO: Wendy Kucherhan:

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

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

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

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Kylie Leach, RN	) VOLUNTARY SURRENDER
)
License No. 201808910RN	) Reference No. 2022110026

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Kylie Leach (Licensee) was issued a Registered Nurse license by the Board on October 5, 2018.

On or about November 3, 2022, the Board received information that Licensee had been arrested and charged with felony crimes in Lake County, Oregon. Licensee entered the home of a former patient on two different occasions and stole their prescription narcotic medication.

Licensee failed to report the initial felony arrest within ten (10) days to the Board and also failed to report the conviction within ten (10) days.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(3)(o)(8)(j)(k)(l)(v)(w).

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

(j) Stealing money, property, services or supplies from the client;

(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;

(v) Failure to report to the Board the licensee's arrest for a felony crime within 10 days of the arrest; or

(w) Failure to report to the Board the licensee's conviction of a misdemeanor or a felony crime within 10 days of the conviction.

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

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

That the voluntary surrender of the Registered Nurse License of Kylie Leach be accepted. If, after a minimum of three years, Licensee Leach wishes to reinstate their Registered Nurse License, Kylie Leach may submit an application to the Board to request reinstatement.

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

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

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

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

Licensee 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 Voluntary Surrender.


Kylie Leach, RN

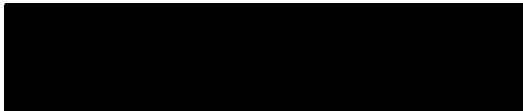
May 31, 2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

JW

6/21/23
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
 Mary Mehaffey, RN) **VOLUNTARY SURRENDER**
)
 License No. 079043656RN) **Reference No. 2022120197**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Mary Mehaffey (Licensee) was issued a Registered Nurse license by the Board on September 14, 1979.

On or about December 7, 2022, the Board received information that Licensee had been impaired while working as a Registered Nurse.

On April 19, 2023, the Board accepted Licensee’s signed Stipulated Order for Probation. Amongst several conditions of the stipulation, Licensee was required obtain 24 months of monitored practice, follow any treatment recommendations and submit to random drug screens.

On May 2, 2023, Licensee expressed an interest in surrendering her Registered Nurse license stating she had personal matters to attend to.

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

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

- (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
- (f) Conduct derogatory to the standards of nursing.
- (g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

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

- (10) Conduct related to the licensee’s relationship with the Board:
- (d) Violating the terms and conditions of a Board order;

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

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

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

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

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

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

Licensee 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 Voluntary Surrender.

[Redacted Signature]

Mary Mehaffey, RN

May 15 2023
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

W

Date 6/21/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Cindy Park, RN) **REPRIMAND OF LICENSE**
)
License No. 201702105RN) **Reference No. 19-00352**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Cindy Park (Licensee) was issued a Registered Nurse License by the Board on March 28, 2017.

On or about September 24, 2018, the Board received information that Licensee exhibited multiple practice concerns while employed with Asante Regional Medical Center, including that Licensee administered certain medications improperly, that certain procedures were administered without proper documentation, and the Licensee failed to communicate adequately with certain patients and other members of the healthcare team.

Licensee denies the allegations but wishes to cooperate with the Board to resolve this matter.

Licensee has completed the following continuing education in order to improve her practice:

Documentation: A Critical Aspect of Patient Care
Disciplinary Actions: What Every Nurse Should Know
Sharpening Critical Thinking Skills
Righting a Wrong – Ethics and Professionalism in Nursing

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

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

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

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

(a) Developing, modifying, or implementing policies that jeopardize client safety.

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

(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.

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

That the Registered Nurse License of Cindy Park be reprimanded.

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

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

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

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

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

Licensee 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.

Licensee has been represented by counsel, Steven B. Ungar, Portland, Oregon, who has explained the terms and conditions above, explained these to Licensee and represents that she fully understands and agrees to each of them, and enters into this Stipulated Order knowingly and voluntarily.

[Redacted Signature]

Cindy Park, RN

5/15/2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

Date

6/01/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Vladimir St Louis,) **WITHDRAWAL OF REGISTERED**
APPLICANT) **NURSE LICENSE APPLICATION**

License No.) **Reference No. 2022110186**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Vladimir St Louis (Applicant) submitted an application for a Registered Nurse license to the Board of Nursing on or about March 15, 2022.

On or about August 3, 2021, the Board received information which gave cause for concern with the transcript Applicant submitted with her application for licensure. Applicant's school was under investigation by the Federal Bureau of Investigation (FBI) for selling fraudulent diplomas and transcripts. The Board opened an investigation into the matter.

On or around May 11, 2023, Applicant acknowledged the Board's concern with his transcript and agreed to withdraw his application for licensure.

By the above actions, Applicant is subject to discipline pursuant to ORS 670.280(1)(a)(b)(3) and OAR 851-031-0006(1)(c)(e), 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.

(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.

(3) Except as provided in ORS 342.143 (Issuance of license and registrations) (3) and 342.175 (Grounds for discipline) (3), a licensing board, commission or agency may deny any occupational or professional license or impose discipline on a license based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. [1973 c.359 §1; 1991 c.662 §6a; 2003 c.749 §13; 2009 c.386 §5]

OAR 851-031-0006 General Eligibility Requirements for All Initial Applications for License, License Renewal, and License Reactivation

(1) Limits on Eligibility:

(c) If the applicant has past, current or pending disciplinary action in another licensing jurisdiction, the Board must investigate and may deny or otherwise discipline including possible revocation of licensure.

(e) The Board is the sole judge of all documents and credentials determining eligibility for licensing.

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

That Vladimir St Louis's application for Registered Nurse License be withdrawn.

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


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

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

Applicant 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.

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

IT IS SO AGREED:



Vladimir St Louis,

Jun 6, 2023

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

Date 6/21/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Trudy Urban, RN**

) **STIPULATED ORDER FOR**
) **PROBATION**
)
)
)
) **Reference No. 2022120083**

License No. 091007006RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Trudy Urban (Licensee) was issued a Registered Nurse license by the Oregon State Board of Nursing on September 10, 1991.

The Board received information that in 2022 and 2023, Licensee used alcohol in a manner dangerous or injurious to herself.

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

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

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

(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 Trudy Urban 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 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 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 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 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 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 she 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.

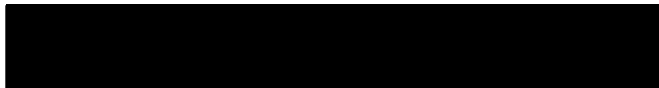
Licensee understands that this Stipulated Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

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



Trudy Urban, RN

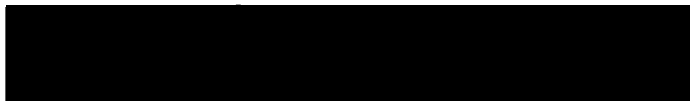
06/05/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

6/21/23

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Michael White, RN	) REPRIMAND
)
License No. 202104416RN	) Reference No. 2022100177

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Michael White (Licensee) was issued a Registered Nurse license by the Board on May 12, 2021.

On or about October 6, 2022, Licensee physically caused a hospital patient to fall to the ground and then physically restrained the patient without authorization and in violation of the hospital's policy. At time of the incident, the patient was on a psychiatric hold and attempting to elope; however, they were not presenting an immediate safety threat to anyone.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f)(g) and OAR 851-045-0070(2)(a), (3)(a) which provide as follows:

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

- (1) Issuance of the license to practice nursing, whether by examination or by indorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:
 - (f) Conduct derogatory to the standards of nursing.
 - (g) Violation of any provision of ORS 678.010 to 678.448 or rules adopted thereunder.

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

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

- (2) Conduct related to achieving and maintaining clinical competency:
 - (a) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established;
- (3) Conduct related to the client's safety and integrity:
 - (a) Developing, modifying, or implementing policies that jeopardize client safety;

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

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

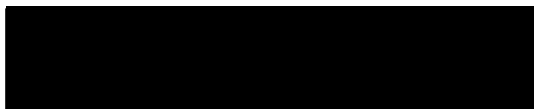
Licensee understands that this Order will be submitted to the Board for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, 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.



Michael White, RN

06/05/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

6/21/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING