

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Carrie Benedict CMA, CNA) **PRACTICE PROBATION**

)

Certificate No. 000033771CMA,)
000033771CNA) **Reference No. 2023030023**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistant. Carrie Benedict (Certificate Holder) was issued a CMA certificate by the Board on 10/12/1999 and CNA certificate on 12/30/1996.

On or about March 4, 2023, the Board received information that Certificate Holder provided the wrong medication to a patient, which resulted in injury to the patient.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(1)(a)(2)(a)(4)(c)(D)(8)(d), OAR 851-063-0100(1)(2)(11).

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:
 - (a) Demonstrated incidents of violent, abusive, neglectful or reckless behavior; or
 - (2) Conduct related to achieving and maintaining clinical competency:
 - (a) Failing to conform to the essential standards of acceptable and prevailing nursing assistant performance of duties. Actual injury need not be established;
 - (4) Conduct related to communication:
 - (c) Entering inaccurate, incomplete, falsified or altered documentation into a health record or into agency records. This includes but is not limited to:
 - (D) Falsifying data;
 - (8) Conduct related to other federal or state statutes/rule violations:
 - (d) Abusing a person;

OAR 851-063-0100 Conduct Unbecoming a Certified Medication Aide

A certified medication aide is subject to discipline as a CNA as described in these rules. In addition, a CMA is subject to discipline for conduct unbecoming a medication aide. Such conduct includes but is not limited to:

- (1) Failing to administer medications as ordered by a LIP;
 - (2) Failing to document medications as administered, medications withheld or refused and the reason a medication was withheld or refused.
- (11) Failing to conform to the standards and authorized duties in these rules.

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

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

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

- 1) Certificate Holder shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
- 2) Certificate Holder shall have thirty-six (36) months from Board acceptance of this Stipulated Order to complete twenty- four (24) months of monitored performance of duties.
- 3) Certificate Holder shall notify Board staff, in writing, prior to any change of contact information which includes address, email address, and phone number.
- 4) Certificate Holder shall maintain an active certificate.
- 5) Certificate Holder shall inform Board staff in advance of any move from Oregon. If Certificate Holder leaves the State and is unable to practice in the State of Oregon, Certificate Holder's probationary status will be re-evaluated. If monitoring is approved and transferred to another Board of Nursing, Certificate Holder shall successfully complete all requirements of the Board Order of the other jurisdiction. Certificate Holder shall be required to ensure the Oregon State Board of Nursing receives quarterly reports documenting the Certificate Holder's compliance. Failure to comply with this reporting requirement shall be considered a violation of this Order. While Certificate Holder 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) Certificate Holder 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) Certificate Holder shall notify Board staff of any citations, arrests, or convictions for any offense, whether a felony, misdemeanor, violation, or citation within ten (10) days of the occurrence.

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

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

10) Certificate Holder shall work under the direct observation of another certificated 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 Certificate Holder's performance of duties and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Certificate Holder shall be employed in a setting where Certificate Holder's 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, Certificate Holder may be restricted from the performance of duties as a CMA/CNA.

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

12) Certificate Holder shall notify Board staff when there is a change in status of employment including resignations, disciplinary actions, and terminations. Certificate Holder 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) Certificate Holder shall not work in any practice setting in which on-site monitoring is not available. This generally includes home health agencies, traveling agencies, nursing float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside of acute care settings.

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

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

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

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

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

Certificate Holder also understands that in the event Certificate Holder engages in future conduct resulting in violations of the law or terms of probation the Board may take further disciplinary action against Certificate Holder's certificate, up to and including revocation of Certificate Holder's certificate to practice as a Certified Medication Aide and Certified Nursing Assistant.

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

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

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

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

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

IT IS SO AGREED:

[Redacted]

Carrie Benedict,
CMA
CNA

08/22/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted]

Judith Woodruff, JD
Board President

JD

9/20/23

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**
Alexa Benson RN) **PROBATION**
)
License No. 202102011RN) **Reference No. 2023020046**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Alexa Benson (Licensee) was issued a Registered Nurse license by the Oregon State Board of Nursing on July 27, 2022.

On or about January 3, 2023, the California Board of Nursing disciplined the licensee, the licensee was disciplined for failure to accurately document nursing interventions and nursing practice implementation; and developing, modifying, or implementing policies that jeopardize client safety.

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

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

(f) Conduct derogatory to the standards of nursing.

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

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.

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

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

(4) Conduct related to communication:

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

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 Alexa Benson of be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a Six (6) 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 twelve (12) months from Board acceptance of this Stipulated Order to complete Six (6) months of monitored practice.

3) Licensee shall notify Board staff, in writing, prior to any change of contact information which includes address, email address, and phone number.

4) Licensee shall maintain an active license.

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

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

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

- 8) Licensee will not look for, accept, or begin a new nursing position without the approval of Board staff. This includes changes of the employer itself or changes within the facility or institution
- 9) Licensee shall inform current and prospective employers of the probationary status of Licensee's license, the reasons for Licensee's probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status. The Nurse Executive will receive a copy of the Stipulated Order for Probation when Licensee is employed.
- 10) Licensee shall work under the direct observation of another licensed healthcare professional, who is aware that the individual is on probation, who is working in the same physical location (e.g. clinic, unit, building, etc.), is readily available to observe Licensee's practice and provide assistance and who has taken the required Board approved Monitor/Supervisor training. Licensee shall be employed in a setting where Licensee's nursing supervisor agrees to submit written evaluations of work performance (on forms provided by the Board) every three (3) months during the probationary period. The quarterly evaluation is expected to be received by Board staff within ten (10) days of the due date. If the evaluation is not timely received, Board staff will contact the employer with a reminder. If Board staff is not in receipt of the report within five (5) business days from the reminder date, Licensee may be restricted from practicing as a nurse.
- 11) Between quarterly reporting periods, the Nurse Executive or a person designated by Licensee's employer, shall inform Board staff of any instance of the Licensee's non-compliance with the terms and conditions of this Stipulated Order, or of any other concern there may be regarding Licensee's work-related conduct or personal behavior that may affect Licensee's ability to practice as a nurse.
- 12) Licensee shall notify Board staff when there is a change in status of employment including resignations, disciplinary actions, and terminations. Licensee shall immediately notify Board staff if they will be unable to meet the minimum monitored practice requirement of 16 hours per week or 64 hours per month due to leave from work. The inability to meet the monitored practice requirement due to leave may extend the probationary period.
- 13) Licensee shall not work in any practice setting in which on-site monitoring is not available. This generally includes home health agencies, traveling agencies, nursing float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside of acute care settings.
- 14) Licensee shall not be a nursing faculty member or an advance practice preceptor.
- 15) Licensee shall not be approved for enrollment in clinical practicum hours for the purposes of obtaining an additional degree or license.
- 16) Licensee shall cease practicing as a nurse if there are concerns about Licensee's ability to practice safely or at the request of Board staff. Practice may resume when approved by the Board

staff, in consultation with Licensee's employer.

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

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

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

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

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

Licensee understands that this Stipulated Order is a public record.

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

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

IT IS SO AGREED:

[Redacted Signature]

Alexa Benson,
RN

09/20/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Board President

9/20/23
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of Erin Bressert, LPN	) STIPULATED ORDER FOR CIVIL PENALTY
)
)
License No. 201130281LPN	) Reference No. 2023060051

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. Erin Bressert (Licensee) was issued a Practical Nurse license by the Oregon State Board of Nursing on June 23, 2011.

On or before April 7, 2023, Licensee should have renewed her LPN license. Licensee failed to timely renew, and the license expired on April 7, 2023.

From the date Licensee's license expired on April 7, 2023, until the date the Licensee realized her license was expired on June 6, 2023, Licensee continued to practice nursing at Willamette Family Treatment, Inc. in Eugene, Oregon.

On June 20, 2023, Board staff sent a notification letter informing the Licensee of a potential civil penalty for practicing nursing without a current license. At that time, the Board requested additional information from Licensee on which to base the assessment (dollar amount) of the civil penalty.

On June 30, 2023, the Board received substantiated information from Licensee establishing that they were practicing nursing a total of thirty-eight (38) days between the dates of April 7, 2023 and June 6, 2023.

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

ORS 678.021 License required to practice nursing.

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

The foregoing is grounds for imposing a civil penalty pursuant to ORS 678.117 and OAR 851-001-0009(2)(a) which provide as follows:

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

(1) The Oregon State Board of Nursing shall adopt by rule a schedule establishing the amount of civil penalty that may be imposed for any violation of ORS 678.010 to 678.445 or any rule of the board. No civil penalty shall exceed \$5,000.

- (2) In imposing a penalty pursuant to this section, the board shall consider the following factors:
- (a) The past history of the person incurring the penalty in observing the provisions of ORS 678.010 to 678.445 and the rules adopted pursuant thereto.
 - (b) The economic and financial conditions of the person incurring the penalty.
 - (3) Any penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the board considers proper and consistent with the public health and safety.
 - (4) Civil penalties under this section shall be imposed as provided in ORS 183.745.
 - (5) All penalties recovered under this section shall be credited to the special account described in ORS 678.170.

OAR 851-001-0009 Imposition of Civil Penalties

- (2) A civil penalty of up to \$100 per day of occurrence is assessed for the following:
- (a) Practicing as a Licensed Practical Nurse (LPN), Registered Nurse (RN), Nurse Practitioner (NP), Certified Registered Nurse Anesthetist (CRNA), Clinical Nurse Specialist (CNS), Certified Nursing Assistant (CNA), Certified Medication Aide (CMA) without a current license or certificate or Board required concurrent national certification; or prescribing, dispensing, or distributing drugs without current prescription writing authority, due to failure to renew and continuing to practice.

Licensee wishes to cooperate with the Board in this matter.

Prior to April 7, 2023, Licensee timely renewed this license. Licensee is experiencing financial hardship.

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

Based on the evidence, Licensee was practicing nursing without a current license a total of thirty-eight (38) days between the dates of April 7, 2023, and June 6, 2023, equaling a total civil penalty of \$3800.00. Based on the mitigating factors that Licensee has a record of timely renewals and is experiencing financial hardship, the Board has determined that the civil penalty may be reduced by 50% to \$1900.00.

That the Board impose a civil penalty against Licensee in the amount of \$1900.00.

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

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

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

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

Licensee shall make 24 payments of **\$80.00**. The first payment is to be received by the Board by the first day of the month following the Boards acceptance of this Stipulation and thereafter, a payment on the 1st day of every month until the whole sum is paid. Payment in full can be made at any time prior to the end of 24 months without penalty. Please note your payment amount was rounded, which means that your final payment may be less or more than the monthly payment listed above.

Payments shall be made payable to the Oregon State Board of Nursing at 17938 SW Upper Boones Ferry Road, Portland, OR 97224 by check or money order; alternatively, payment may be made online by logging into your Oregon State Board of Nursing Licensing Portal and clicking on Pay Civil Penalty Fees.

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

Licensee 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 Civil Penalty.

[Redacted Signature]

Erin Bressert, LPN

08/28/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

9/20/23

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Esmeralda Doctolero, LPN	) REPRIMAND WITH
	) CIVIL PENALTY
License No.	) Reference No. 2023050157
201030465LPN	

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Esmeralda Doctolero was issued a Licensed Practical Nurse license by the Oregon State Board of Nursing on November 8, 2010.

On or about May 18, 2023, the Board received information that Licensee accessed a patient's medical chart without a business need to do so.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111(1)(f) and ORS 678.117(1)(2)(a)(b)(3)(4)(5) and OAR 851-001-0009(1)(3)(a) and OAR 851-045-0070(2)(a)(8)(o)** which reads as follows:

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

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

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

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

(1) The Board will consider factors listed in ORS 678.117 (2) when determining the amount of civil penalty to be imposed and per ORS 678.117 (1), no single violation civil penalty shall exceed \$5000.

(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 .

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;

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

(o) Violating a person's rights of privacy and confidentiality of information by accessing information without proper authorization or without a demonstrated need to know.

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

That the Licensed Practical Nurse License of Esmeralda Doctolero be Reprimanded and a Civil Penalty in the amount of \$500.00 be imposed.

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

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

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

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

Licensee shall make **24** monthly payments of **\$20.83**. The first payment is to be received by the Board by the first day of the month following the Boards acceptance of this Stipulation and thereafter, a payment on the 1st day of every month until the whole sum is paid. Please note that your payment amount was rounded, which means that your final payment will be less or more

than the monthly payment listed above.

Payments shall be made payable to the Oregon State Board of Nursing at 17938 SW Upper Boones Ferry Road, Portland, OR 97224 by check or money order; alternatively, payment may be made online by logging into your Oregon State Board of Nursing Licensing Portal and clicking on Pay Civil Penalty Fees.

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

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 with Civil Penalty.

[Redacted Signature]

Esmeralda Doctolero, LPN

08/21/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

9/20/23
Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Alyssa Freitas,
CNA**

**) STIPULATED ORDER FOR
) REPRIMAND OF CERTIFIED NURSING
ASSISTANT CERTIFICATE**

**Certificate No.
202106461CNA**

) Reference No. 2023060118

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistant Certificate. CNA Alyssa Freitas (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on 07/07/2021.

On or about June 13, 2023, the Board received information that Certificate Holder provided a fraudulent American Heart Association Card to an agency representative for the purpose of obtaining employment. The Certificate Holder admitted that she had obtained the card through an unverified provider and failed to check the authenticity of the card. The card the Certificate Holder presented was actually assigned to a different person. Certificate Holder understands that she is responsible for checking the validity of official documents prior to presenting them to prospective employers.

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

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

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

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

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to: (1) Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:

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

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

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

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

That the Certified Nursing Assistant Certificate of Alyssa Freitas be reprimanded.

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

Certificate Holder understands that in the event licensee engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her Certificate, up to and including revocation of her license to practice as a Certified Nursing Assistant

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

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

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

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

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



Alyssa Freitas,
CNA

09/05/23

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, appearing to be 'J. Woodruff', written over the printed name.

Date

9/20/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Jeffrey Goolsby, RN**

**) STIPULATED ORDER FOR 60-DAY
) SUSPENSION OF REGISTERED NURSE
LICENSE WITH EDUCATION
CONDITIONS**

License No. 201604947RN

) Reference No. 2022100143

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Jeffrey Goolsby was issued a Registered Nurse License by the Board on June 24, 2014.

On or about October 25, 2022, the Board received information that Licensee's behavior with co-workers was aggressive, hostile, and abusive, which resulted in co-workers having a difficult time communicating regularly about patient care issues. Some of Licensee's behaviors were done in the presence of clients.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f)(g) and OAR 851-045-0070(a)(f), (6)(a)(b), (8)(h).

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

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

(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:

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

(f) Conduct derogatory to the standards of nursing

(6) Conduct related to co-workers and health care team members:

(a) Engaging in violent, abusive or threatening behavior towards a co-worker; or

(b) Engaging in violent, abusive, or threatening behavior that relates to the delivery of safe nursing services.

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

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

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 Jeffrey Goolsby be SUSPENDED for 60 days, commencing five business days from the date this Order is signed by the Oregon State Board of Nursing. Additionally, Licensee will complete and provide Board staff with confirmation of completion, the following Continuing Education within 90-days from when Board signs Order:

- **PBI 3-day course: Elevating Civility & Communication in Health Care**
- **PBI: The Complete Professional (Ethics & Boundary Course)**

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, **Jeffrey Goolsby** 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 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.

[Redacted]

Jeffrey Goolsby, RN

08/23/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted]

Judith Woodruff, JD
Board President

9/20/23

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**
Lisa Grigat, CNA) **REPRIMAND**
)
License No. 000007093CNA) **Reference No. 2023060055**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including CNA's. Lisa Grigat (certificate holder) was issued a certified nursing assistant certificate by the Board on 01/28/1997.

On or about June 6, 2023, the Board received information that Certificate Holder had received money and financial gains from a patient she was caring for. The Board opened an investigation into this matter.

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

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

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

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to: **(2) Conduct related to achieving and maintaining clinical competency:**

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

(3) Conduct related to client safety and integrity:

(k) Failing to maintain professional boundaries.

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

That the Certified Nursing Assistant Certificate of Lisa Grigat be reprimanded.

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

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

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

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

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

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

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

[Redacted Signature]

Lisa Grigat, CNA

08/17/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

9/20/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Marie Joseph,**

**) STIPULATED ORDER FOR
) WITHDRAWAL OF REGISTERED
) NURSE LICENSE APPLICATION**

License No. Applicant

) Reference No. 2023080054

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Marie Joseph (Applicant) submitted an application for a Registered Nurse license to the Board of Nursing on or about April 29, 2023.

On or about August 10, 2023, the Board received information that Applicant provided transcripts from Hosanna College of Health, Inc, Florida. Applicant was not able to provide documents that meets the required educational requirements for the Oregon Board of Nursing.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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 Marie Joseph'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]

Marie Joseph,

08/10/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

9/20/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of William Kobialka, RN	) STIPULATED ORDER FOR) REPRIMAND OF LICENSE
License No. 098006970RN	) ) Reference No. 2023060112

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. RN William Kobialka (Licensee) was issued a Registered Nurse License by the Board on 08/31/1998.

On or about June 3, 2023, the Board received information that Licensee swore at a patient. The Licensee was apologetic for his actions and requested a reprimand.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(8)(h).
ORS 678.111 Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case: (1) Issuance of the license to practice nursing, whether by examination or by 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:
- (8) Conduct related to other federal or state statute or rule violations:
- (h) Engaging in other unacceptable behavior towards or in the presence of a client. Such conduct includes but is not limited to using derogatory names, derogatory gestures or profane language;

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 William Kobialka 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 Registered Nurse.

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

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

William Kobialka,
RN

08/21/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

9/20/23

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**
Moses Lopez, CNA) **BY DEFAULT**

)

)

License No. 201012935CNA) **Reference No. 2023040032**

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. Moses Lopez (Certificate Holder) was issued a Certified Nursing Assistant certificate by the Board on 11/30/2010.

This matter was considered by the Board at its meeting on September 19, 2023.

On July 20, 2023, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant certificate of Moses Lopez was sent to Licensee via certified and first-class mail to the address of record and 11540 NE Inverness Dr, Portland, OR.

The Notice alleged that Licensee physically and verbally abused a patient, failed to complete delegated duties assigned, sent sexually inappropriate text messages to co-worker's, bullied a student in front of a patient, and failed to cooperate with the Board's investigation.

The Notice granted Moses Lopez 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. Moses Lopez was issued a Certified Nursing Assistant certificate in the state of Oregon on 11/30/2010.
2. On or about April 5, 2023, Moses Lopez was reported to the Board for inappropriate behavior towards patients and coworkers. The Board opened an investigation into the matter.

3. On or about March 8, 2023, certificate holder was verbally aggressive and bullying towards a CNA student in front of a patient. This is in violation of ORS 678.442(2)(d), ORS 678.158, ORS 678.280(1)(a)(b),(2),(3) and OAR 851-063-0090(6)(a),(8)(h).
4. On or about March 13, 2023, certificate holder failed to complete his delegated duties by not taking vitals on 3 of his assigned patients. This is in violation of ORS 678.442(2)(d), ORS 678.158, ORS 678.280(1)(a)(b),(2),(3) and OAR 851-063-0090(2)(a),(3)(b).
5. On or about March 13, 2023, certificate holder was reported to be physically and verbally abusive to a patient. Certificate holder poked the patient with his finger several times in the chest and told the patient that they would do what he says, in an intimidating action. This is in violation of ORS 678.442(2)(d), ORS 678.158, ORS 678.280(1)(a)(b),(2),(3) and OAR 851-063-0090(1)(a),(8)(h).
6. On or about March 25, 2023, certificate holder sent sexually inappropriate and hostile personal messages to two co-workers, then showed some of the messages to a different co-worker while they were at work. This is in violation of ORS 678.442(2)(d), ORS 678.158, ORS 678.280(1)(a)(b),(2),(3) and OAR 851-063-0090(6)(a).
7. On July 20, 2023, Board staff mailed a Notice of Proposed Revocation to Moses Lopez via first-class and certified mail. The Notice granted Moses Lopez 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 Certified Nursing Assistant Certificate, Moses Lopez, and over the subject matter of this proceeding.
2. That Moses Lopez's conduct is in violation of ORS 678.442(2)(d), ORS 678.158, ORS 678.280(1)(a)(b), (2), (3) and OAR 851-063-0090(1)(a),(2)(a),(3)(b),(6)(a)(8)(h), (10)(a)(c).

The relevant statutes and rules, as alleged above, are set forth below:

ORS 670.280 Denial, suspension or revocation of license based on criminal conviction; denial of license or imposition of discipline for conduct substantially related to fitness and ability of applicant or licensee. (1) As used in this section:

(a) "License" includes a registration, certification or permit.

(b) "Licensee" includes a registrant or a holder of a certification or permit.

(2) Except as provided in ORS 342.143 (3) or 342.175 (3), a licensing board, commission or agency may not deny, suspend or revoke an occupational or professional license solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold the license.

(3) Except as provided in ORS 342.143 (3) and 342.175 (3), a licensing board, commission or agency may deny an occupational or professional license or impose discipline on a licensee based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards.

ORS 678.442 Certification of nursing assistants

(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 (Definitions for ORS 678.010 to 678.410) to 678.448 (Use of titles "Certified Nursing Assistant," "nursing assistant," "nurse aide" or "CNA.") or rules adopted thereunder.

ORS 678.158

Continuing authority of board upon lapse, suspension, revocation or voluntary surrender of license or certificate.

The lapse, suspension or revocation of a license or certificate by the operation of law or by order of the Oregon State Board of Nursing or by the decision of a court of law, or the voluntary surrender of a license by a licensee or of a certificate by a certificate holder, shall not deprive the board of jurisdiction to proceed with any investigation of or any action or disciplinary proceeding against the licensee or certificate holder or to revise or render null and void an order of disciplinary action against the licensee or certificate holder.

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the

public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

(1) Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:

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

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

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

(3) Conduct related to client safety and integrity:

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

(6) Conduct related to relationships with co-workers and health care team members:

(a) Engaging in violent, abusive or threatening behavior towards a co-worker; or

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

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

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

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

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

3. That Moses Lopez 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 Moses Lopez is REVOKED.

DATED this 20th day of September, 2023

FOR THE BOARD OF NURSING OF THE STATE OF OREGON


Judith Woodruff/JD
Board President

TO: Moses Lopez:

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

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

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Megan Lucas, RN**

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

**License No.
201042305RN**

) Reference No. 2022100010

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including RN's. RN Megan Lucas (Licensee) was issued a RN License by the Board on August 3, 2010.

On or about October 7, 2022, the Board received information that Licensee failed to initiate a system to track resident's skin breakdown while employed with a senior living facility. Licensee failed to track and document nursing assessments for two residents with skin breakdown.

Licensee has now implemented a system to track skin breakdown at the facility and has completed the following continuing education courses:

- Nursing Documentation
- Critical Thinking
- Professional Accountability & Legal Liability for Nurses
- Pressure Injury Prevention in Long Term Care
- Medical Errors
- Putting the Nursing Scope and Standards into Practice
- Interdisciplinary Wound Care

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

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

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

(4) Conduct related to communication:

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

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

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

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

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

That the Registered Nurse License of Megan Lucas 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 Registered Nurse.


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

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


Megan Lucas, RN


Date

8/17/23

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON


Judith Woodruff, JD
Board President

Date

9/20/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Christelle Mengue, CNA	) REPRIMAND OF CERTIFIED NURSING ASSISTANT CERTIFICATE
)
License No. 10003875	) Reference No. 2023060010

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. Christelle Mengue was issued a Certified Nursing Assistant certificate by the Board on 01/26/2023.

On or about June 2, 2023, the Board received information that Certificate Holder Christelle Mengue accepted a personal check from a resident while working at Royal Gardens Rehabilitation Center.

On or around April 21, 2023, Christelle Mengue accepted a personal check in the amount of \$750 from a resident under her care.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-063-0090(2)(a)(3)(g)(h)(k)(8)(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

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant
ORS 670.280 authorizes the Board to discipline nursing assistant certificates for conduct that is not undertaken directly in the course of CNA duties, but that is substantially related to the fitness and ability of the applicant or CNA to engage in activities of the CNA profession for which a CAN certificate is required. Such conduct is considered to be conduct unbecoming a CNA, and includes, but is not limited to:

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

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

assistant performance of duties. Actual injury need not be established;

(3) Conduct related to client safety and integrity:

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

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

(k) Failing to maintain professional boundaries.

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

(l) Using one's role or title as a nursing assistant to solicit or borrow money, materials, property or possessions from a client or the client's family for personal gain or sale;

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

That the CNA Certificate of Christelle Mengue be reprimanded.

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

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

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

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

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

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

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

[Redacted]

Christelle Mengue, CNA

08/23/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted]

Judith Woodruff, JD
Board President

9/20/23

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
Lourie Morgan, RN	) REPRIMAND OF LICENSE
)
License No. 200141397RN	) Reference No. 2023060135

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse's. RN Lourie Morgan (Licensee) was issued a Registered Nurse License by the Board on 07/23/2001.

On or about June 14, 2023, the Board received information that Licensee accessed her employers HR computer and reviewed confidential emails on the computer. Licensee admitted to accessing her employers HR computer and reviewed confidential emails.

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

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

(o) Violating a person's rights of privacy and confidentiality of information by accessing information without proper authorization or without a demonstrated need to know;

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

That the Registered Nurse License of Lourie Morgan be reprimanded. Licensee will complete PBI Professional Boundaries and Ethics Course PB-24 Enhanced (Nurse) within 60 days of the Board signing order.

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 Registered Nurse.

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

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

Lourie Morgan,
RN

08/11/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Judith Woodruff, JD
Board President

Date

9/20/23

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of Lesly Ruano AKA: Lesly Ruano-Cedillos CNA Applicant) STIPULATED ORDER FOR) WITHDRAWAL OF NURSING) ASSISTANT CERTIFICATE) APPLICATION)) Reference No. 2023010007
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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants (CNAs) and Nursing Assistant certificate applicants. Lesly Ruano (Applicant) submitted a Nursing Assistant certificate application on September 26, 2022.

In her response to the application question, "Have you ever pled guilty, been convicted of, pled No Contest, or entered into an Alford plea for a felony or misdemeanor?", Applicant disclosed that she pleaded guilty to and was convicted of Theft in the First Degree on August 4, 2021, in Washington County, Oregon. However, Applicant failed to disclose, as required, that she pleaded guilty to Theft in the Second Degree charge on February 12, 2020 in Washington County, Oregon.

By the above actions, Applicant is subject to ORS 670.280 and ORS 678.442(2)(b) which read as follows:

ORS 670.280 Denial, suspension or revocation of license based on criminal conviction; rebuttable presumption; denial of license or imposition of discipline for conduct substantially related to fitness and ability of applicant or licensee.

(1) As used in this section:

(a) "License" includes a registration, certification or permit.

(b) "Licensee" includes a registrant or a holder of a certification or permit.

(2) Except as provided in ORS 342.143 (3) or 342.175 (3), a licensing board, commission or agency may not deny, suspend or revoke an occupational or professional license solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold the license. There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation does not make an applicant for an occupational or professional license or a licensee with an occupational or professional license unfit to receive or hold the license.

(3) Except as provided in ORS 342.143 (3) and 342.175 (3), a licensing board, commission or agency may deny an occupational or professional license or impose discipline on a licensee based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct

that has been classified or reclassified as a Class E violation is not related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required.

ORS 678.442 Certification of nursing assistants; rules.

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

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

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

That Lesly Ruano's application for Nursing Assistant Certificate be withdrawn.

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

Applicant 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.

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:



Lesly Ruano

08/08/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

9/20/23

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of	) STIPULATED ORDER FOR
Raymond Tang, RN	) VOLUNTARY SURRENDER
)
License No. 202202173RN	) Reference No. 2023030094

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse's. Raymond Tang (Licensee) was issued a Registered Nurse license by the Board on March 1, 2022.

On or about March 2, 2023, the Board received information that Licensee had been disciplined in Nevada for conduct related to providing medication to a friend without documentation. Licensee reported that he did not need his Oregon license anymore and wished to surrender the license.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(4)(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 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:

(4) Conduct related to communication:

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

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

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 Raymond Tang:

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

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

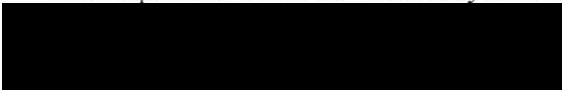
Licensee understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Licensee understands that by signing this Stipulated Order, **Raymond Tang** 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.


Raymond Tang, RN

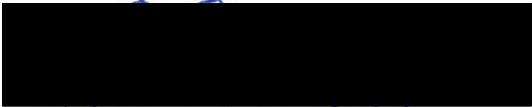
08/14/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON


Judith Woodruff, JD
Board President

9/20/23

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**
Patrick Van Oss, Applicant) **WITHDRAWAL OF REGISTERED**
) **NURSE LICENSE APPLICATION**

) **Reference No. 2022110047**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Patrick Van Oss (Applicant) submitted an application for a Registered Nurse license to the Board of Nursing on or about February 24, 2022.

In the application, Applicant disclosed that his Minnesota RN license was under a Stayed Suspension subject to compliance with a Stipulation and Consent Order. The Order requires Applicant's participation in the Minnesota Health Professionals Services Program (HPSP) to monitor his nursing practice and adherence to conditions relating to abstinence from mind-altering substances and treatment recommendations. The Order went into effect on October 7, 2021.

Applicant is currently practicing in Minnesota and at this time does not intend to pursue licensure in Oregon.

The following statute, ORS 678.111(1)(h), applies and 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:

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

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 Patrick Van Oss'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:



Patrick Van Oss

08/23/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

9/20/23

Date

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Kaylan Young, RN**

) **STIPULATED ORDER FOR**
) **PROBATION**
)
)
) **Reference No. 2023070122**

License No. 201405556RN

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Kaylan Young (Licensee) was issued a Registered Nurse license by the Oregon State Board of Nursing on May 12, 2022.

In October 2021, the Board referred Licensee to the Health Professional Services Program (HPSP), an abstinence-based monitoring program.

On April 7, 2022, the Licensee had a positive drug screen for alcohol. The Board issued Licensee a final warning.

On or about July 5, 2023, Licensee had a positive drug screen for alcohol.

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

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

- OAR 851-045-0070 Conduct Derogatory to the Standards of Nursing Defined
Conduct that adversely affects the health, safety, and welfare of the public, fails to conform to legal nursing standards, or fails to conform to accepted standards of the nursing profession, is conduct derogatory to the standards of nursing. Such conduct includes, but is not limited to:
- (10) Conduct related to the licensee’s relationship with the Board:
 - (e) Failing to comply with the terms and conditions of Health Professionals’ Services Program agreements.

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 Kaylan Young 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 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 19 below. Licensee shall avoid any over-the-counter products and food items containing alcohol, THC including CBD products, and poppy seeds.

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

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

21) Licensee shall notify any and all healthcare providers of the nature of Licensee's diagnoses to ensure that Licensee's health history is complete before receiving any treatment, including medical and dental. Licensee shall provide Board staff with the names and contact information of any and all health care providers. Licensee shall sign any release of information necessary to allow Board staff to communicate with Licensee's healthcare providers and release Licensee's medical and treatment records to the Board. Licensee is financially responsible for any costs

incurred for compliance with the terms and conditions of this Stipulated Order.

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

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

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

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

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

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

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

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

IT IS SO AGREED:



Kaylan Young, RN

08/25/23

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON



Judith Woodruff, JD
Board President

JD

9/20/23

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING