

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	)	<b>FINAL ORDER OF 90-DAY SUSPENSION OF NURSING ASSISTANT CERTIFICATE BY DEFAULT</b>
<b>Quanisha Anderson, CNA</b>	)	
	)	
<b>License No. 201602187CNA</b>	)	<b>Reference No. 2023100108</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Quanisha Anderson (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on April 5, 2016.

This matter was considered by the Board at its meetings on June 12, 2024, and July 17, 2024.

On June 5, 2024, a Notice of Proposed 90-Day Suspension of Nursing Assistant Certificate was sent to Certificate Holder via certified and first-class mail to the address of record.

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

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

**-I-**

**FINDINGS OF FACT**

Based on the evidence contained in the Board’s file in this case, the Board finds the following:

1. Certificate Holder was issued a Certified Nursing Assistant Certificate in the state of Oregon on April 5, 2016.
2. On or about October 13, 2023, the Board received information that Certificate Holder allegedly abandoned their assigned work shift. The Board opened an investigation into the matter.
3. On or about January 10, 2024, the Board sent a letter to Certificate Holder’s email address of record requesting that Certificate Holder schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and a current work history.

4. On January 29, 2024, the Board sent a second letter to Certificate Holder's email address of record requesting that Certificate Holder contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and provide a current work history.
5. On April 24, 2024, Board staff made attempts to call Certificate Holders' phone number of record. Board staff was unable to reach Certificate Holder and left voicemail message requesting they contact OSBN immediately.
6. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
7. On June 5, 2024, Board staff mailed a Notice of Proposed Suspension to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

**-II-**

### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the Certificate Holder, Quanisha Anderson, and over the subject matter of this proceeding.
2. By failing to contact the Board to schedule and interview, the Certificate Holder violated ORS 678.442(2)(f) and OAR 851-063-0090(10)(a) and (c).
3. By failing to provide the Board with a work history and written statement, Certificate Holder violated ORS 678.442(2)(f) and OAR 841-063-0090(10)(c).
4. Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417 (3), the Board may enter a Final Order by Default.

**-III-**

### **ORDER**

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

**ORDERED** that the Certified Nursing Assistant Certificate of Quanisha Anderson is **SUSPENDED** for 90 days, commencing five business days from the date this Order is signed by the Board President.

DATED this 17 day of July 2024

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



Aaron Green, CNA  
Board President

TO: Quanisha Anderson

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

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **FINAL ORDER OF REVOCATION**  
**Berlande Beaubrun, RN** ) **BY DEFAULT**  
 )  
**License No. 202207255RN** ) **Reference No. 2023120288**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Berlande Beaubrun (Licensee) was issued a Registered Nurse License by the Board on June 8, 2022.

This matter was considered by the Board at its meeting on July 17, 2024.

On June 21, 2024, a Notice stating that the Board intended to Revoke the Registered Nurse License of Berlande Beaubrun was sent to Licensee via certified and first-class mail to the address of record.

The Notice alleged that Licensee's Illinois Registered Nurse license was indefinitely suspended, Licensee failed to cooperate with a Board investigation, and Licensee failed to meet the Board's educational requirements for licensure.

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

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

**-I-**

**FINDINGS OF FACT**

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

1. Licensee was issued a Registered Nurse License in the state of Oregon on June 8, 2022.
2. On or about November 14, 2023, Licensee's Illinois Registered Nurse license was indefinitely suspended.
3. On January 26, 2024, Board staff sent a letter to Licensee's mailing and email addresses of record requesting that they schedule an interview as well as provide a written statement and work history. On January 30, 2024, Board staff received the mailed letter back with a note from United States Postal Service that they would no longer forward mail to Licensee's new

mailing address. On January 31, 2024, Board staff called Licensee's telephone number of record; however, it was not in service. That same day, Board staff sent a letter to Licensee's new mailing address requesting that they schedule an interview as well as provide a written statement and work history. No response was forthcoming. On February 16, 2024, Board staff sent another letter to Licensee's mailing and email addresses of record as well as their new mailing address, requesting that they schedule an interview as well as provide a written statement and work history. No response was forthcoming other than an automated response that the email address of record was now inactive.

4. In April 2024, Board staff conducted a review of the school transcript which Licensee used to apply for their Registered Nurse license as well as the corresponding course catalog. There did not appear to be evidence of a 1:1 precepted final practicum meeting the standards for the clinical component of the education.
5. On June 21, 2024, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

- II -

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Licensee, Berlande Beaubrun, and over the subject matter of this proceeding.
2. That Licensee's conduct is in violation of ORS 678.040(2)(b) and ORS 678.111(1)(f)(g)(h) and OAR 851-006-0030(5) and OAR 851-006-0140(15) and OAR 851-045-0070(10)(a)(c) which provide as follows:

***ORS 678.040 Qualifications of applicants for license; rules.*** *An applicant for a license under ORS 678.010 to 678.448 shall provide to the Oregon State Board of Nursing satisfactory evidence that the applicant's physical and mental health is such that it is safe for the applicant to practice, and that:*

*(2) If the applicant is an applicant for licensure by indorsement, the applicant:*

*(b) Has graduated from a registered nurse or licensed practical nurse nursing education program that included in its curriculum a clinical component, as defined by the board by rule.*

***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.*  
*(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 851-006-0030 Definitions beginning with the letter “C”**

*(5) “Clinical Component” - Refer to definition for “Nursing Practice Experience”*

**OAR 851-006-0140 Definitions beginning with the letter “N”**

*(15) Nursing Practice Experience: includes a combination of four modalities to refine competencies at the appropriate program level: 1) skills laboratory, which includes skills application using a variety of equipment and teaching methodologies; 2) direct care, which is the provision of nursing care to patients in a variety of healthcare settings and participation in learning activities specifically relating to actual patient situations or the patient care environment; 3) simulation, which is care provided in a simulated patient care environment; and 4) final clinical practicum, which is one-on-one learning with a facility nurse focusing on the demonstration of the program’s overall clinical outcomes. The clinical component of the nursing curriculum includes the modalities of direct care, simulation, and final clinical practicum.*

**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:*

- (a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except client-attorney privilege;*
- (c) Failing to provide the Board with any documents requested by the Board;*

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

**-III-**


**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby ORDERED that the Registered Nurse license of Berlande Beaubrun is REVOKED.

7/17/24

Date

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

  
Aaron Green, CNA  
Board President

TO Berlande Beaubrun:

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 license, you may submit an application for reinstatement to the Board.

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Maurice Boss, LPN**

**) STIPULATED ORDER FOR  
) VOLUNTARY SURRENDER OF  
) PRACTICAL NURSE LICENSE**

**)**

**License No. 201130606LPN**

**) Reference No. 2022100105**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses (LPNs). Maurice Boss (Licensee) was issued an LPN license by the Board on November 16, 2011. The license expired on June 7, 2023.

The Board received a complaint alleging that Licensee failed to take action for a resident's welfare and opened an investigation.

The Board's investigation found that Licensee was on duty during the night shift of September 18-19, 2022, in a post-acute rehabilitation facility. Licensee was notified that a resident was experiencing pain; Licensee documented his administration of medications but failed to document assessments or interventions.

The following morning while administering the resident's medications Licensee observed that the resident was experiencing a change in condition but did not promptly notify any other member of the resident's healthcare team or document the changes in the resident's chart.

Approximately 15 minutes after leaving the resident's room, Licensee was advised by a CNA that they were having trouble obtaining the resident's vital signs. Licensee returned to the resident's room and confirmed that their blood pressure and pulse could not be detected. Licensee sent a notification to the on-call medical provider through their answering service but did not call EMS or arrange for transport to hospital. Shortly thereafter, resident was found deceased.

The Board's investigation established that Licensee failed to document an assessment of the resident's condition during their shift, did not communicate with other members of the resident's healthcare team in a timely manner, and failed to provide appropriate interventions at the time Licensee became aware of the resident's acute change in condition.

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

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



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

(f) Conduct derogatory to the standards of nursing.

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

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

(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:

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

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

(f) Failing to communicate information regarding a person's status to the supervising nurse or other appropriate member of the healthcare team in an on-going and timely manner and as appropriate to the context of care;

Licensee's LPN license expired on June 7, 2023. Licensee does not intend to return to nursing practice and wishes to cooperate with the Board in this matter. The following is therefore proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

**That the Voluntary Surrender of Maurice Boss' Practical Nurse license be adopted.**

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

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

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

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

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

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

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

[Redacted Signature]

Maurice Boss

06/26/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green, CNA  
Board President

07/17/24

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	) <b>STIPULATED ORDER FOR</b>
<b>Sharla Cooper, LPN</b>	) <b>REPRIMAND OF LICENSE</b>
	)
<b>License No. 201804132LPN</b>	) <b>Reference No. 2024010105</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including LPNs.

Sharla Cooper (Licensee) was issued an LPN License by the Board on June 1, 2018.

On or about January 11, 2024, the Board received information that Licensee failed to initiate CPR on a full-code resident of a long-term care facility.

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)(k)**.

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

In the manner prescribed in ORS chapter 183 for a contested case:

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

Actual injury need not be established;

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

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

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

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

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

**That the Practical Nurse License of Sharla Cooper be reprimanded.**

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

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

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

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

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

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

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



Sharla Cooper, LPN

07/08/24

Date

**ORDER**

IT IS SO ORDERED:

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



Board President

07/17/24

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of Amber Dirksen, RN</b>	<b>) STIPULATED ORDER FOR ) REPRIMAND OF LICENSE ) WITH CONDITIONS ) ) Reference No. 23-00209</b>
<b>License No. 201907423RN</b>	

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurse Licenses. Amber Dirksen (Licensee) was issued a Registered Nurse License by the Board on August 22, 2019.

On or about September 1, 2022, the Board received information that Licensee, while working full-time as a staff RN at a local hospital, also worked part-time as a Director of Nursing at a memory care facility.

It is alleged Licensee was trying to arrange patient discharges to the memory care facility where she worked without consulting the hospital's discharge planning department. In one instance, Licensee asked a charge nurse to print a patient's personal health information and then provided it to an employee of the memory care facility without following the hospital's discharge planning procedures.

Licensee said she believed she was advocating in the best interest of her patients.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and 854-045-0070(8)(a) and (m) which reads as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

(m) Unauthorized removal of client records, client information, facility property, policies or

written standards from the workplace.

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 Amber Dirksen be reprimanded. Licensee agrees to complete Board-approved education on Ethics and Boundaries in Nursing.**

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

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

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

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

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

Licensee 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]

Amber Dirksen, RN

06/26/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green, CNA  
Board President

7/17/24

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	) <b>STIPULATED ORDER FOR</b>
<b>Robert Eck, RN</b>	) <b>REPRIMAND OF LICENSE</b>
	)
<b>License No. 200440031RN</b>	) <b>Reference No. 2023110146</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including RNs.

Robert Eck (Licensee) was issued a RN License by the Board on January 12, 2004.

On or about November 16, 2023 the Board received information that Licensee failed to initiate CPR on a full-code resident of a long-term care facility.

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)(k)**.

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

In the manner prescribed in ORS chapter 183 for a contested case:

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

(f) Conduct derogatory to the standards of nursing.

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

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

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

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

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

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

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

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

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 Robert Eck be reprimanded.**

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

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

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

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

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

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

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

[Redacted Signature]

Robert Eck, RN

06/17/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Board President

07/17/24

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING



**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Dustyne Froshiesar, RN**

)  
) **STIPULATED ORDER FOR**  
) **LIMITATION ON RN LICENSE**  
) **AND \$5000 CIVIL PENALTY**

)  
)  
)

**License No. 201709262RN**

) **Reference No. 2023060041**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Dustyne Froshiesar (Licensee), was issued a Registered Nurse license by the Board on 11/02/2017.

On or about June 5, 2023, the Board received information that Licensee did not meet the practice hour requirements set forth by the Board in order to have obtained and maintained licensure as a Registered Nurse between 2019-2021.

On her 2019 renewal application, Licensee attested to completing practice hours that she did not complete. On her 2021 renewal application, Licensee attested to completing a RN re-entry program that she did not complete.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111(1)(c), (d), and (f); ORS 678.117; OAR 851-001-0009(1) and (3)(a); and OAR 851-045-0070 (1)(b), (3)(f), (9)(a), and (10)(b).**

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

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

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

(d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice;

(f) Conduct derogatory to the standards of nursing.

**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 of \$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:

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

(b) Conduct related to the client's safety and integrity;

(9) Conduct related to licensure or certification violations.

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

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

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

Licensee 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 Dustyne Froshiesar enroll in and complete the Colorado Center for Nursing Excellence Registered Nurse Refresher Lite Course.

That, beginning on the date this Stipulated Order is signed by the Board President and continuing until evidence of successful completion of the Colorado Center for Nursing Excellence Registered Nurse Refresher Lite Course is received and approved by Board staff, Dustyne Froshiesar will not practice as a Registered Nurse in Oregon except as necessary to complete the Colorado Center for Nursing Excellence Registered Nurse Refresher Lite Course.

That the Board impose a civil penalty against the Registered Nurse license of Dustyne Froshiesar in the amount of \$5000.00.

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

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

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

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

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

Licensee shall make twenty-four (24) monthly payments of \$208.33. The first payment is to be received by the Board by the first day of the month following the Board's acceptance of this Stipulation and thereafter, a payment on the 1st day of every month until the whole sum is paid. The payment amount was rounded, which means that Licensee's 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 the 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 action, (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 Signature]

Dustyne Froshieshr, RN

7-3-2024

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green  
Board President

7/17/24

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of Lalane Kiel, CNA</b>	) <b>STIPULATED ORDER FOR REPRIMAND OF CERTIFIED NURSING ASSISTANT CERTIFICATE</b>
<b>Certificate No. 201609294CNA</b>	) <b>Reference No. 2023100271</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Certified Nursing Assistants (CNAs). Lalane Kiel (Certificate Holder) was issued a CNA certificate by the Board on November 16, 2016.

On or about October 27, 2023, the Board received information that Certificate Holder had worked as a CNA without a valid CNA Certificate for over one year. The Board opened an investigation.

Certificate Holder's CNA Certificate expired in June of 2022. In April of 2023, Certificate Holder learned that the CNA Certificate had expired and attempted to renew the CNA Certificate. However, Certificate Holder did not complete the renewal process. In October of 2023, Certificate Holder realized that the CNA Certificate was still expired. Certificate Holder notified management of the expired CNA Certificate and ceased working as a CNA until the CNA Certificate was successfully renewed.

Certificate Holder worked as a CNA without a current CNA Certificate for at least 150 days.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(9)(b)

ORS 678.442 Certification of nursing assistants; rules.  
(2) In the manner prescribed in ORS chapter 183, the board may revoke, suspend or deny a certificate issued under this section, reprimand a nursing assistant or place a nursing assistant on probation for a period of time and subject to any conditions specified by the board for the following reasons:  
(f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-063-0090  
Conduct Unbecoming a Nursing Assistant  
(9) Conduct related to certification violations:  
(b) Functioning as a certified nursing assistant without current certification as a nursing assistant;

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 Lalane Kiel 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]

Lalane Kiel, CNA

06/27/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green – CNA 2  
Board President

07/17/24

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**  
**Rachel Loan, RN** ) **CIVIL PENALTY**  
 )  
**License No. 201503606RN** ) **Reference No. 2024010023**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Rachel Loan (Licensee) was issued an RN license by the Oregon State Board of Nursing on June 11, 2015.

On or before May 4, 2023, Licensee should have renewed their RN license. Licensee failed to timely renew, and the license expired on May 4, 2023.

From the date Licensee's license expired on May 4, 2023, until the date the license was renewed, Licensee continued to practice nursing at Northwest Renal Clinic in Portland, Oregon.

On January 3, 2024, Licensee reported that she had been practicing nursing without a current license. At that time, the Board requested additional information from Licensee and their employer on which to base the assessment of the civil penalty.

On February 29, 2024, the Board received substantiated information from the employer establishing that Licensee was practicing nursing a total of 153 days between the dates of May 4, 2023 and January 5, 2024.

By the above actions, Licensee is in violation of 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.

Based on the evidence, Licensee was practicing nursing without a current license a total of 153 days between the dates of May 4, 2023, and January 5, 2024, equaling a total civil penalty of \$15,300.00. Based on the mitigating factors that Licensee has a record of timely renewals, no prior disciplinary action and is experiencing financial hardship, the Board has determined that the civil penalty may be reduced by 75% to \$3,825.00

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 a Stipulated Order for Civil Penalty of \$3,825.00 be accepted.**

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 payments of \$159.37**. 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 first day of every month until the whole sum is paid. 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]

Rachel Loan, RN

05/19/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Greene, CNA 2  
Board President

07/17/24

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	)	<b>STIPULATED ORDER FOR</b>
<b>Monica Macquarrie, RN</b>	)	<b>VOLUNTARY SURRENDER</b>
	)	
<b>Licensee No. 096000578RN</b>	)	<b>Reference No. 2023080210</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating, and disciplining certain health care providers, including Registered Nurses. Monica MacQuarrie (Licensee) was issued a Registered Nurse License by the Board on July 10, 1996.

On December 15, 2021, the Board accepted a six (6) month Suspension followed by twenty-four (24) months of Probation after the Board received multiple substantial non-compliance reports from the Health Professionals Service Program (HPSP).

On June 21, 2023, the Board extended Licensee's Probation by six (6) months after Licensee tested positive on a hair test during the Suspension period and tested positive on a urinalysis (UA) in November 2022. The Board also directed staff to send Licensee a last chance warning letter.

Since June 2023, Licensee has continued to have positive toxicology tests. Licensee acknowledged that she has used medication that was not prescribed to her to manage pain. She is planning on having surgery and wishes to take some time to focus on her health.

**By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (f)(g) and OAR 851-045-0070 (8)(k), (10)(d) and OAR 851-070-0100 (3) which read as follows:**

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

**OAR 851-045-0070**

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

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

- (8) Conduct related to other federal or state statute or rule violations:
- (k) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled medications to any person, including self, except as directed by a person authorized by law to prescribe medications;
- (10) Conduct related to the licensee's relationship with the Board:
- (d) Violating the terms and conditions of a Board order.

**OAR 851-070-0100**

(3) For Board Ordered discipline violation of any of the conditions of the final order is considered non-compliance and will be investigated and the appropriate sanction will be determined up to and including revocation of license or certificate.

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

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

**That the voluntary surrender of the RN License of Monica Macquarrie be accepted. If, after a minimum of three (3) years, Monica Macquarrie wishes to reinstate their License, they may submit an application for reinstatement to the Board.**

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

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

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

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

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

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

[Redacted Signature]

Monica Macquarrie, RN

06/28/24

Date

**ORDER**

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

[Redacted Signature]

Aaron Green, CNA  
Board President

7/17/24

Date

PLEASE RETURN ALL PAGES OF THIS STIPULATED ORDER AFTER SIGNING

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	) <b>STIPULATED ORDER FOR</b>
<b>Babbette Murphy, NP</b>	) <b>PROBATION OF NURSE</b>
	) <b>PRACTITIONER LICENSE</b>
	)
<b>License No. 201503555NP-PP</b>	) <b>Reference No. 23-00014</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners. Babbette Murphy (Licensee) was issued a Nurse Practitioner License on June 9, 2015, by the Oregon State Board of Nursing.

On or about July 5, 2022, the Board received information that Licensee was prescribing controlled medications to a patient that was residing at licensee’s home address.

The Board opened an investigation into the matter and identified evidence that the licensee prescribed both controlled and non-controlled medications to a patient, EC, without documenting assessments, interventions and clinical decision making.

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

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

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

(f) Conduct derogatory to the standards of nursing.

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

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

(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 judgement;

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

(4) Conduct related to communication:

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

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

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

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

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

That the Nurse Practitioner License of Babbette Murphy be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Order. Licensee must complete a twelve (12) month period of probation to begin upon Licensee's return to supervised nursing practice at the level of a Nurse Practitioner. 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 twenty-four (24) months from Board acceptance of this Stipulated Order to complete twelve (12) months of monitored practice.
- 3) Licensee shall notify Board staff, in writing, prior to any change of contact information which includes address, email address, and phone number.
- 4) Licensee shall maintain an active license.
- 5) Licensee shall complete the following courses:
  - PBI – Professional Boundaries (24 CME Virtual Live Classroom)
  - PBI – Proper Prescribing (21 CME Virtual Live Classroom)

All courses shall be pre-approved by Board staff, and Licensee shall provide proof of completion of each course either through certificates of completion or transcripts. Should Licensee fail to complete these courses within the required time of 12 months from the date a Final Order is issued by the Board, Licensee shall be referred back to the Board for consideration of further disciplinary action.

6) 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.

7) 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.

8) 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.

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 Supervising Licensed Practitioner, 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. A quarterly review of the licensee's controlled medication prescribing is required. If Licensee is self-employed in private practice, then Licensee shall be responsible to hire at the Licensee's expense, a Board approved Supervising Licensed Practitioner, qualified to provide care for the patient population of Licensee's clinical practice setting. The Board approved Supervising Licensed Practitioner shall perform clinical oversight of the workplace to include, but not limited to: scheduled site visits, records reviews, consultation services, quality assurance work, and random audits of a minimum of 40 charts or 10% depending on the Licensee's caseload. The Supervising Licensed Practitioner shall agree to be available to provide telephone/video consultation to Licensee when not clinically present in the workplace.

11) The Board approved Supervising Licensed Practitioner shall 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 Supervising Licensed Practitioner 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 Practitioner.

12) Licensee will not change supervising licensed practitioners or worksites without the approval of Board staff. This includes changes of the employer itself or changes within the facility or institution.

13) Between quarterly reporting periods, the Supervising Licensed Practitioner, 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.

14) 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.

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

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

17) Licensee shall cease practicing as a Nurse Practitioner 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.

18) 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 Nurse Practitioner.

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]

Babbette Murphy, NP

7/11/2024

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green, CNA  
Board President

7/17/24

Date

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** )  
**Searra O’Healy, LPN** ) **FINAL ORDER OF REVOCATION**  
 ) **BY DEFAULT**  
 )  
 )  
**License No. 201709580LPN** ) **Reference No. 23-00186**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Licensed Practical Nurses. Searra O’Healy (Licensee) was issued a Practical Nurse License by the Board on November 16, 2017 and it expired on March 1, 2023.

This matter was considered by the Board at its meetings on June 12, 2024, and July 17, 2024.

On June 25, 2024, a Notice of Proposed Revocation was sent to Licensee via certified and first-class mail to the address of record.

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

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

-I-

**FINDINGS OF FACT**

Based on the evidence in the Board’s file in this case, the Board finds the following:

1. Licensee was issued a Practical Nurse License in the state of Oregon on November 16, 2017 and it expired on March 1, 2023.
2. On August 23, 2022, Licensee arrived for her NOC shift, she was witnessed stumbling and giving the appearance of someone who was impaired. Licensee was witnessed falling to the floor.
3. Licensee told staff and at least one resident that she had taken 75mg of Benadryl approximately three hours before the start of her shift to help her sleep and ease her allergy symptoms and believes that is why she got dizzy and fell.

4. In an interview with Board staff on September 26, 2022, Licensee acknowledged being under the care of a pain management specialist for chronic back pain, however, she denied she took any pain medication before work.
5. Licensee was asked to sign a release of information so Board staff could review her medical records and Licensee agreed to do so. Board staff never received a signed release of information for her pain specialist, nor did they receive her medical records. Licensee stopped communicating with Board staff.
6. On June 26, 2024, Board staff mailed a Notice of Proposed Revocation to Licensee via first-class and certified mail. The Notice granted Licensee twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over the Licensee, Searra O’Healy, and over the subject matter of this proceeding. The Board retains jurisdiction over Licensee’s Practical Nurse License pursuant to ORS 678.158 and ORS 676.205.
2. By practicing nursing while impaired by a medication (Benadryl), Licensee violated ORS 678.111(1)(f) and *former* OAR 851-045-0070(7)(b) and (c).<sup>1</sup>

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<sup>1</sup> OAR Chapter 851, Division 45 was amended effective July 1, 2024. Former OAR 851-045-0070(b) and (c), in effect at the time of the conduct, provides:

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

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

(7) Conduct related to impaired function:

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

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

3. By failing to provide a release of information for medical records or the records themselves, Licensee violated ORS 678.111(1)(f) and *former* OAR 851-045-0070(10)(a).<sup>2</sup>
4. That Licensee defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final order by Default.

### III.

### ORDER

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

ORDERED that the Practical Nurse License of Searra O’Healy is REVOKED.

DATED this 17 day of July, 2024

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

  
Board President

TO: SEARRA O’HEALY:

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 license, you may submit an application for reinstatement to the Board.

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<sup>2</sup> OAR Chapter 851, Division 45 was amended effective July 1, 2024. Former OAR 851-045-0070(10)(a), in effect at the time of the conduct, provides:

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:

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

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	)	<b>FINAL ORDER OF SUSPENSION</b>
<b>Johnson Pierre Louis, CNA</b>	)	<b>WITH CONDITIONS BY DEFAULT</b>
	)	
<b>License No. 202208738CNA</b>	)	<b>Reference No. 2023080071</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Johnson Pierre Louis (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on June 27, 2022.

This matter was considered by the Board at its meeting on May 15, 2024.

On June 14, 2024, an Amended Notice with Conditions stating that the Board intended to Suspend the Certified Nursing Assistant Certificate of Johnson Pierre Louis was sent to Certificate Holder via certified and first-class mail to the address of record.

The Notice alleged that Certificate Holder engaged in a sexual relationship with a patient under their direct care.

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

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

-I-

**FINDINGS OF FACT**

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

1. Certificate Holder was issued a Certified Nursing Assistant Certificate in the state of Oregon on June 27, 2022.
2. On or about July 4, 2024, Certificate Holder engaged in a sexual relationship with a patient in their direct care. By engaging in such a relationship Certificate Holder, failed to maintain professional boundaries.
3. On or about November 28, 2023, and March 27, 2024, Certificate Holder was interviewed by Board staff regarding the allegations. Certificate Holder admitted to a relationship with a patient but stated the relationship did not start until the individual was no longer a patient at

Certificate Holders facility. By denying that any sexual relationship took place while the patient was under their direct care. Certificate Holder failed to answer truthfully and completely a question asked by the Board during the course of an investigation.

4. On June 14, 2024, Board staff mailed an Amended Notice of Proposed Suspension with Conditions to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

### CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Johnson Pierre Louis, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(f) and OAR 851-063-0090(3)(k) and (10)(b), which read as follows:

**678.442 Certification of nursing assistants; rules**

(2) In the manner prescribed in ORS chapter 183, the board may revoke, suspend or deny a certificate issued under this section, reprimand a nursing assistant or place a nursing assistant on probation for a period of time and subject to any conditions specified by the board for the following reasons:

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

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

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

(3) Conduct related to client safety and integrity:

(k) Failing to maintain professional boundaries.

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

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

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

-III-

**ORDER**

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


ORDERED that the Certified Nursing Assistant Certificate of Johnson Pierre Louis is SUSPENDED for sixty (60) days, commencing five business days from the date this Order is signed.

Additionally, each of the foregoing violations are grounds to require that Certificate Holder complete the PBI Professional Boundaries (PB-24) course and provide a certificate of completion to Board staff within the 60-day suspension period.

DATED this 17<sup>th</sup> day of July 2024

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



 Aaron Green  
Board President

TO: Johnson Pierre Louis

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

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

<b>In the Matter of</b>	)	<b>STIPULATED ORDER FOR</b>
<b>Bryan Spencer, CNA</b>	)	<b>REPRIMAND OF CNA CERTIFICATE</b>
	)	
<b>Certificate No. 201394143CNA</b>	)	<b>Reference No. 2023100207</b>

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including CNAs. Bryan Spencer (Certificate Holder) was issued a CNA certificate by the Board on November 21, 2013.

On or about October 21, 2023, the Board received information that Certificate Holder was terminated from employment due to sexual harassment of a co-worker. The Board opened an investigation into the matter. The Board investigation revealed evidence that the Certificate Holder's sexual harassment towards the co-worker caused a hostile and intimidating work environment.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442 and OAR 851-063-0090(6)(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

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 CNA certificate is required. Such conduct is considered to be conduct unbecoming a CNA, and includes, but is not limited to:

(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

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 Bryan Spencer 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]

Bryan Spencer, CNA

06/13/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green, CNA-2  
Board President

07/17/24

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**  
**Emily Trevillyan, LPN** ) **REPRIMAND OF LICENSE**  
 )  
**License No. 099005200LPN** ) **Reference No. 2023030019**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including LPNs.

Emily Trevillyan (Licensee) was issued an LPN License by the Board on May 11, 2000.

On or about March 3, 2023, the Board received information that Licensee had worked with an expired license for two years.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111(1)(f) and OAR 851-045-0070(9)(b).

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

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

(f) Conduct derogatory to the standards of nursing.

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

(9) Conduct related to licensure or certification violations:

(b) Practicing nursing without a current Oregon license or certificate;

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 Emily Trevillyan 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 their license to practice as a Registered Nurse.

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

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

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

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

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

[Redacted Signature]

Emily Trevillyan, LPN

Jun 18, 2024

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green  
Board President

7/17/24  
\_\_\_\_\_  
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**  
**Tina Yaccarino, CNA** ) **REPRIMAND WITH CONDITIONS**  
)  
**Certificate No. 202011138CNA** ) **Reference No. 2024030282**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including CNAs. Tina Yaccarino (Certificate Holder) was issued a CNA certificate by the Board on December 16, 2020.

On or about March 27, 2024, the Board received a complaint regarding Certificate Holder's documentation of services and performance of CNA duties and opened an investigation.

The investigation revealed that on four occasions between February 16, 2024, and March 20, 2024, Certificate Holder charted information in patient charts which did not reflect actual services provided.

The investigation also established that on two occasions between February 16, 2024, and March 20, 2024, Certificate Holder failed to accurately document the reasons for rescheduling patient home visits and that Certificate Holder exceeded the CNA scope of practice by altering the visit schedule of two patients.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090 (3)(b) and (4)(a)(c)(A)(D) which read as follows:

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

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

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

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 CNA certificate is required. Such conduct is considered to be conduct unbecoming a CNA, and includes, but is not limited to:

(3) Conduct related to client safety and integrity:

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

(4) Conduct related to communication:

(a) Failing to accurately document nursing assistant activities and tasks;

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

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

(D) Falsifying data

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 Tina Yaccarino be reprimanded and that Certificate Holder will successfully complete the following course within 45 days of the effective date of this Order: *Righting a Wrong – Ethics & Professionalism in Nursing* (or a comparable course approved by Board staff).**

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

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

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

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

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

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

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

[Redacted Signature]

Tina Yaccarino, CNA

06/24/24

Date

**ORDER**

IT IS SO ORDERED:

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

[Redacted Signature]

Aaron Green, CNA  
Board President

07/17/24  
Date