

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Jennifer Bevan, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 200412707CNA) **Reference No. 16-00543**

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. Jennifer Bevan (Certificate Holder) was issued a Certified Nursing Assistant certificate by the Board on November 15, 2004.

On or about September 21, 2015, the Board received information that Certificate Holder had accessed medical records of a patient without authorization. The Board opened an investigation into the matter.

In February and March 2015, Certificate Holder used her position as a Certified Nursing Assistant to access and view an individual's confidential electronic medical records for personal reasons on several occasions. Certificate Holder was not authorized to view the records. Certificate Holder expressed remorse for her conduct. Certificate Holder stated there were very unusual, personal circumstances that led Certificate Holder to view the records.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(f), OAR 851-063-0080(6), and OAR 851-063-0090(8)(m), which provide as follows:

ORS 678.442 Certification of nursing assistants; rules.

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

OAR 851-063-0080 Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate

Under the contested case procedure in ORS 183.310 to 183.550 the Board may impose a range of disciplinary sanctions including, but not limited to deny, reprimand, suspend, place on probation or revoke the certificate to perform duties as a CNA for the following causes:

- (6) Conduct unbecoming a nursing assistant.

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:

- (8) Conduct related to other federal or state statutes/rule violations:
 - (m) Violating a person's rights of privacy and confidentiality of information by accessing information without proper authorization to do so or without a demonstrated need to know.

Certificate Holder wishes to cooperate with the Board in this matter. Therefore, the following will be

proposed to the Oregon State Board of Nursing and is agreed to by Certificate Holder:

That the Certified Nursing Assistant certificate of Jennifer Bevan 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 she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her certificate, up to and including revocation of her certificate to practice as a Certified Nursing Assistant.

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

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

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

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

IT IS SO AGREED:

Jennifer Bevan, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

Date