

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Morgen Crumpacker, LPN**

**) STIPULATED ORDER FOR  
) PROBATION OF PRACTICAL  
) NURSE LICENSE  
) Reference No. 14-01203**

**License No. 200730056LPN**

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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. Morgen Crumpacker (Licensee) was issued a Licensed Practical Nurse License by the Board on March 22, 2007.

On or about February 14, 2014, Licensee was reported to the Board for allegations of impairment at work, nursing practice issues, and testing positive for marijuana after a for cause urine drug screen. The Board opened an investigation into the matter.

On or about February 11, 2014, Licensee arrived for her shift at an assisted living facility and allegedly showed signs of impairment. Licensee agreed to complete a urine drug screen for her employer. Licensee tested positive for marijuana.

On February 13, 2014, Licensee submitted to a second urine drug screen which was negative for all substances.

During the Board's investigation, Licensee's nursing practice was reviewed. The Board alleges Licensee deviated from the standard of care with regards to communication, documentation, and the provision of safe client care.

On May 16, 2014, during a personal interview with Board staff, Licensee denied being impaired at work and stated she has never used marijuana.

The Board alleges Licensee failed to answer truthfully and completely during the course of the Board's investigation into her alleged conduct.

On June 18, 2014, the Board ordered Licensee to obtain a chemical dependency and mental health evaluation from a Board approved evaluator. Licensee cooperated with the Board Order and was evaluated on July 21, 2014.

The evaluator did not assign Licensee with a substance abuse diagnosis however, it was recommended Licensee's nursing practice be monitored and Licensee provide random urine drug screens for the Board.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1)(e) and (f) and OAR 851-045-0070 (1)(c) and (3)(a),(g)(h) and (i) and (4)(b) and (5)(c) and (d) and (7)(b) which read as follows:

**ORS 678.111 Causes for denial, revocation, 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:

(e) Use of any controlled substance or intoxicating liquor 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 for which the licensee is licensed.

(f) Conduct derogatory to the standards of nursing.

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

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing.

Such conduct shall include, but is not limited to, the following:

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

(c) Failing to develop, implement and/or follow through with the plan of care.

(3) Conduct related to communication:

(a) Inaccurate recordkeeping in client or agency records.

(g) Failing to maintain client records in a timely manner which accurately reflects management of client care, including failure to make a late entry within a reasonable time period.

(h) Failing to communicate information regarding the client's status to members of the health care team (physician, nurse practitioner, nursing supervisor, nurse co-worker) in an ongoing and timely manner; and

(i) Failing to communicate information regarding the client's status to other individuals who need to know; for example, family, and facility administrator.

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

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

(5) Conduct related to impaired function:

(c) Practicing nursing when physical or mental ability to practice is impaired by use of drugs, alcohol or mind-altering substances.

(d) Use of drugs, alcohol or mind-altering substances 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 for which the licensee is licensed.

(7) 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 neither admits nor denies the above allegations occurred but admits if proven at hearing they would constitute violations of the Nurse Practice Act.

Licensee wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

Licensee shall be placed on probation effective April 20, 2015, 60 days from the date the Board approves this Stipulated Order for Probation. Licensee's compliance with this Order will be monitored by the Oregon State Board of Nursing. Licensee must complete a twenty-four (24) month period of probation to begin upon Licensee's return to practice, monitored as outlined below. Licensee must practice a minimum of sixteen (16) hours per week, and no more than a maximum of one (1.0) FTE. Licensee must practice in a setting where Licensee can exercise the full extent of Licensee's scope of practice, in order to demonstrate Licensee's competence. Limited overtime may be approved on occasion, at the discretion of Board staff. Any period in which Licensee does not practice in the state of Oregon will not count toward the probationary period.

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

1. Licensee shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
2. Licensee shall have thirty-six (36) months from Board's acceptance of this Order to complete twenty-four (24) months of monitored practice.
3. Licensee shall notify Board staff, in writing, prior to any change of address or employment setting during the probation period.
4. Licensee shall maintain an active license.
5. Licensee shall inform Board staff in advance of any absences from Oregon and/or any move from Oregon to another licensing jurisdiction. If Licensee leaves the state and is unable to practice in the state of Oregon, Licensee's probationary status will be re-evaluated.
6. Licensee shall appear in person or by phone, to designated Board staff for interviews on a monthly basis during the probationary period. Frequency of contact may be reviewed and revised periodically at the discretion of Board staff.
7. Licensee shall notify Board staff of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
8. Licensee will not look for, accept, or begin a new nursing position without prior approval of the Board. This includes changes of the employer itself or changes within the facility or institution.
9. Licensee shall inform current and prospective employers, including any Nurse

Executive, of the probationary status of Licensee's license, the reasons for probation, and terms and conditions of probation. If Licensee's employer has a Nurse Executive, Licensee shall inform Board staff of the name of the Nurse Executive and Board staff will provide the Nurse Executive with a copy this Order.

10. Licensee shall work under the direct supervision of another licensed healthcare professional, functioning at the same or higher level of licensure, who is working in the same physical location and readily available to observe Licensee's practice and provide assistance. Licensee shall be employed in a setting where Licensee's nursing supervisor agrees to submit written evaluations of work performance (on forms provided by the Board) every three (3) months during the probationary period. The quarterly evaluation is expected to be received by Board staff within ten (10) days of the due date. If the evaluation is not timely received, Board staff will contact the employer with a reminder. If Board staff is not in receipt of the report within five (5) business days from the reminder date, Licensee may be restricted from practicing as a nurse.
11. Between quarterly reporting periods, the Nurse Executive or a person designated by Licensee's employer shall inform Board staff of any instance of Licensee's non-compliance with the terms and conditions of this Order or of any other concern regarding Licensee's work-related conduct or personal behavior that may affect Licensee's ability to perform the duties of a nurse.
12. Licensee shall notify Board staff when there is a change in status of employment, including resignations and terminations.
13. Licensee shall not work in any practice setting when on-site supervision is not available. This generally includes home health agencies, traveling agencies, float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside of acute care settings.
14. Licensee shall participate in and comply with any treatment recommendations set forth by a third party evaluator approved by the Board. Licensee shall sign any release of information necessary to allow Board staff to communicate with Licensee's treatment provider and release Licensee's treatment records to the Board.
15. Licensee shall participate in the Board's random urine drug testing program. Failure to comply with random urine or any other requested drug test shall result in Licensee's immediate removal from nursing practice. Licensee shall submit to tests to determine the presence of unauthorized substances immediately upon request by Board staff or Licensee's employer. Licensee shall sign any release of information necessary to ensure the Board will receive the results of such testing. The presence of unauthorized substances may be considered a violation of the terms and conditions of this Order. Upon request of Board staff, Licensee shall obtain an evaluation by a Board approved chemical abuse or dependence evaluator. Licensee understands that Licensee is financially responsible for any and all costs related to testing and evaluating. Licensee's failure to maintain an account in good standing with the Board's laboratory vendor shall be considered a violation of this Order.

16. Licensee shall abstain from using alcohol and/or other intoxicating, mind altering, or potentially addictive drugs, including over-the-counter or prescription drugs while on probation, except as provided in Section 18 below. Licensee shall avoid any over-the-counter products and food items containing alcohol and/or poppy seeds.
17. Licensee may take medication for a documented medical condition provided that the medication is from a valid prescription prescribed by a person authorized by law to write such a prescription for the documented medical condition. Licensee shall notify Board staff of any prescription within seventy-two (72) hours of its issuance. Licensee shall sign any release of information necessary to allow Board staff to communicate with the prescribing person and release Licensee's records to the Board. Licensee shall discard any unused prescription medication when no longer needed or when expired.
18. Licensee shall cease practicing as a nurse upon the occurrence of a relapse, or at the request of Board staff because of a relapse or relapse behavior. Practice may resume only when approved in writing by Board staff, in consultation with Licensee's employer.
19. Licensee is financially responsible for any costs incurred for compliance with the terms and conditions of this Order.
20. Licensee shall notify Board staff at least three (3) business days prior to leaving town or going on vacation, with the exception of a family emergency.
21. Licensee shall cooperate fully with Board staff in the supervision and investigation of Licensee's compliance with the terms and conditions of this Order.
22. Licensee shall complete the following education classes: Righting a Wrong: Ethics and Professionalism in Nursing and Sharpening Critical Thinking Skills. Both courses are available online and provided by the National Council of State Boards of Nursing Learning Extension (<http://learningext.com/nurses/default.aspx>). Licensee must submit proof of completion of both courses to the Board within 60 days of the Board's acceptance of this Order.

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

Licensee understands that in the event Licensee engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against Licensee's license, up to and including revocation of Licensee's 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 Licensee to sign this Order.

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

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

IT IS SO AGREED:

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Morgen Crumpacker, LPN

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Gary Hickmann, RN  
Board President

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Date