

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
RITAH GIESBERS, LPN**

) **STIPULATED ORDER FOR**
) **REPRIMAND OF PRACTICAL**
) **NURSE LICENSE WITH**
) **CONDITIONS**
)
) **Reference No. 14-00956**

License No. 201130461LPN

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. Ritah Giesbers (Licensee) was issued a practical nurse license by the Board on September 19, 2011.

In December 2013, Licensee was assigned through her nursing agency to work several evening and night shifts at a group home for medically fragile adults. On December 26, 2013, Licensee failed to administer medications (antibiotic and antifungal) as ordered by the physician due to drug availability issues. Licensee failed to document information in the medical record regarding her attempts to follow up with the pharmacy and information as to the reasons the medications were not administered.

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

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.

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:
 - (a) Developing, modifying, or implementing standards of nursing practice/care which jeopardize patient safety.

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- (b) Failing to take action to preserve or promote the client's safety based on nursing assessment and judgment.
- (2) Conduct related to other federal or state statute/rule violations:
 - (o) Failing to dispense or administer medications, including Methadone, in a manner consistent with state and federal law.
- (3) Conduct related to communication:
 - (b) Incomplete recordkeeping regarding client care; including, but not limited, to failure to document care given or other information important to the client's care or documentation which is inconsistent with the care given.
 - (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.

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 practice nurse license of Ritah Giesbers be reprimanded and she will comply with the following conditions:

Licensee shall complete at least three (3) formal courses of study focusing on nursing documentation, identification and prevention of medication errors, and developing critical thinking skills providing at least (3) continuing education contact hours per topic. The minimum requirements are as follows:

1. **Nursing documentation (3 contact hours).** This study should include objectives of identifying the purposes and types of nursing documentation, fundamentals of nursing documentation, documentation in challenging situations, documentation strategies, saving time while documenting and contrast/comparison of documentation in different care settings such as acute/long-term and home care situations as well as the legal aspects of documentation.
2. **Identification and prevention of medication errors (3 contact hours).** This study should help the student understand the dangers of nursing medication errors. Identify situations that increase the chances of nursing medication errors. Create a personalized plan for improvement within your practice.
3. **Developing critical thinking skills (3 contact hours).** This study should define the concept of critical thinking. Identify the common characteristics of a critical thinker. Differentiate the various levels of critical thinking. Describe factors that can positively and negatively impact critical thinking ability. Explain how nurses must use evidence-based critical thinking skills

Licensee may utilize in-person training or seminar, online training, teleconference, webinar or combination of learning methods in meeting the conditions of this stipulation.

Board staff must be made aware of and approve each course in advance.

Licensee shall provide proof of successful completion of these courses by providing the Board a copy of either a certificate of completion or an official transcript.

Licensee shall complete the courses of study and submit her completion certificates to the Board by July 22, 2014.

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

Ritah Giesbers, LPN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date