

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Cheryl Pippin, NP**

**) STIPULATED ORDER FOR
) PROBATION WITH CONDITIONS**

**License No. 099006263N2
099006263RN**

) Reference No. 10-00373

The Oregon State Board of Nursing, (Board) is the state agency responsible for the licensure and regulation of Registered Nurses and Nurse Practitioners in the State of Oregon. Cheryl Pippin, NP (Licensee) is a Registered Nurse and Nurse Practitioner in the State of Oregon. The Board first issued Licensee her Registered Nurse license on March 12, 1999 and her Nurse Practitioner certificate on May 5, 1999.

On or around February 17, 2010, a complaint was received that alleged Licensee had quality of care issues in the areas of documentation, assessment, diagnosis and treatment.

A subsequent independent review by a Pediatric Nurse Practitioner (PNP) of seven patient records submitted with the above complaint found that Licensee failed to conduct complete histories, did not assess patients for differential diagnoses, failed to document or had insufficient documentation of physical assessments, and she developed management plans that were not consistent with standards of nursing care.

Seventeen additional medical records were reviewed by the independent PNP and were found to have incomplete documentation, lacked assessments, or had management plans that were not consistent with standards of nursing care.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (f) and (g); OAR 851-045-0060 (2) (a)(A), (B), (C), and (D), and (2)(b); OAR 851-045-0070 (1) (a) and (c), (3) (a), (b), (h) and (i); OAR 851-050-0005 (4) (a), (b), (c),(d), (e), and (5) (c),(d), (e), (i) and (l); and OAR 851-056-0016 (2) (f) and (h) which read as follows:

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

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

(f) Conduct derogatory to the standards of nursing.

(g) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder.

OAR 851-045-0060 Scope of Practice Standards for Registered Nurses

(2) Standards related to the Registered Nurse's responsibility for nursing practice implementation. Applying nursing knowledge, critical thinking and clinical judgment effectively in the synthesis of biological, psychological, social, sexual, economic, cultural and spiritual aspects of the client's condition or needs, the Registered Nurse shall:

(a) Conduct and document initial and ongoing comprehensive and focused nursing assessments of the health status of clients by:

(A) Collecting objective and subjective data from observations, examinations, interviews, and written records in an accurate and timely manner as appropriate to the client's health care needs and context of care;

(B) Distinguishing abnormal from normal data, sorting, selecting, recording, analyzing, synthesizing and reporting the data;

(C) Detecting potentially inaccurate, incomplete or missing client information and reporting as needed;

(D) Anticipating and recognizing changes or potential changes in client status; Identifying signs and symptoms of deviation from current health status;

(b) Establish and document nursing diagnostic statements and/or reasoned conclusions which serve as the basis for the plan or program of care.

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:

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

(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.

(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; and

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

OAR 851-050-0005 Nurse Practitioner Scope of Practice

(4) Within his or her specialty, the nurse practitioner is responsible for managing health problems encountered by the client and is accountable for health outcomes. This process includes:

- (a) Assessment;
- (b) Diagnosis;
- (c) Development of a plan;
- (d) Intervention;
- (e) Evaluation.

(5) The nurse practitioner is independently responsible and accountable for the continuous and comprehensive management of a broad range of health care, which may include:

(c) Assessment of clients, synthesis and analysis of data and application of nursing principles and therapeutic modalities;

(d) Management of health care during acute and chronic phases of illness;

(e) Admission of his/her clients to hospitals and/or health services including but not limited to home health, hospice, long term care and drug and alcohol treatment;

(i) Management and coordination of care;

(l) Prescribing, dispensing, and administration of therapeutic devices and measures, including legend drugs and controlled substances as provided in Division 56 of the Oregon Nurse Practice Act, consistent with the definition of the practitioner's specialty category and scope of practice.

OAR 851-056-0016 Conduct Derogatory to the Standards for Prescriptive or Dispensing Authority

(2) The abuse of the prescriptive or dispensing authority constitutes conduct derogatory to nursing standards and is defined as:

(f) Prescribing, dispensing, administering, or distributing drugs in an unsafe or unlawful manner or without adequate instructions to the client according to acceptable and prevailing standards or practice;

(h) Failure to properly assess and document client assessment when prescribing, dispensing, administering, or distributing drugs;

Licensee admits that the above allegations occurred and constitute violations of the Nurse Practice Act. Licensee wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That the Nurse Practitioner certificate and Registered Nurse license of Cheryl Pippin be placed on Probation for 18 months with the following terms and conditions listed below. 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 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 eighteen (18) months of probation.
- 3) The required 18 months of probation is defined as a minimum of sixteen (16) hours per week and no more than one (1.0) FTE in a setting where she is able to exercise the full extent of her Registered Nurse and Nurse Practitioner 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.
- 4) Licensee's Pediatric Nurse Practitioner (PNP) and Registered Nurse practice will be supervised by a qualified Oregon PNP, an Oregon licensed Pediatrician, or an Oregon licensed physician who has expertise and practices in pediatrics (Supervising Practitioner), approved by the Board, for eighteen (18) months. Licensee and Supervising Practitioner shall enter into a supervising agreement approved by the Board and signed by both Licensee and Supervising Practitioner. Licensee shall provide the Board with the signed agreement.
- 5) Licensee and Supervising Practitioner shall meet with each other in person once each week for the first six (6) months for the purpose of consultation and client review. After the first six (6) months, at the discretion of Supervising Practitioner and based on Supervising Practitioner's assessment of Licensee's performance, the frequency of the consultation and client review meetings may be reduced, with the Board's advanced approval, to meetings no less frequently than two (2) times per month.
- 6) Supervising Practitioner shall be available expediently to intervene and/or confer

with Licensee during business hours.

- 7) Supervising Practitioner shall perform a random audit of 10% of Licensee's client records each month for the first six months, and once every three months thereafter. The audit shall include an evaluation of Licensee's practice with regards to Licensee's documentation, assessment and medical treatment plans. All audits shall be part of Supervising Practitioner's report referred to in condition eight (8) below.
- 8) Supervising Practitioner shall submit a written report to the Board at the end of the first month and then at the end of the third, sixth, ninth, and twelfth months of each year of the probation period. The report shall include an evaluation of Licensee's practice and documentation. The report shall be received within ten (10) days of the due date. If the evaluation is not timely received, Board staff will contact Supervising 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.
- 9) Licensee shall provide Supervising Practitioner with a copy of the Stipulated Order.
- 10) Supervising Practitioner shall immediately inform the Board of any instance of the probationer's non-compliance with the terms and conditions of this Stipulated Order for Probation, or of any other concern there may be regarding her work-related conduct or personal behavior that may affect her ability to practice as a Nurse Practitioner.
- 11) Licensee and Supervising Practitioner shall immediately notify the Board if the supervising agreement is terminated for any reason. Licensee shall cease practicing until such time as a new supervising agreement is established.
- 12) Licensee shall not work in any high-risk practice setting where there might be inconsistent supervisory oversight. This generally includes self-employment, home health agencies, traveling agencies, nursing float pools, temporary agencies, assisted living facilities, adult foster care, independent consulting contracts, home hospice, and night shifts outside the acute care settings.
- 13) Licensee shall notify the Board, in writing, prior to any change of address or employment setting, including resignations or terminations, during the probation period.
- 14) Licensee shall inform the Board in advance of any absences from Oregon for nursing practice or job-related reasons 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, her probationary status will be re-evaluated.
- 15) Licensee shall notify Board staff at least three (3) business days prior to leaving town for nursing practice or job-related reasons.
- 16) Licensee shall maintain an active license.
- 17) Licensee shall complete graduate credit courses on the following: 1) physical

assessment and differential diagnosis 2) clinical decision-making or evidence based practice. All courses shall be pre-approved before enrollment, 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 during her eighteen month period of probation, Licensee shall remain on probation until such time as she completes the courses and shows proof.

- 18) Licensee shall present herself, 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.
- 19) Licensee shall notify the Board of any citations, arrests, or convictions for any offense, whether a felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
- 20) Licensee will not look for, accept, or begin a new nursing position without the approval of the Board. This includes changes of the employer itself or changes within the facility or institution, enrollment or participation in an educational program, other than stated above, for preparation in a new nursing role.
- 21) Licensee shall inform current and prospective employers of the probationary status of her license, the reasons for her 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 copies of the Stipulated Order when Licensee is employed.
- 22) Licensee shall cease practicing as a nurse if there are concerns about her ability to practice safely or at the request of Board staff. Practice may resume when approved by the Board staff, in consultation with her employer.
- 23) Licensee shall cooperate fully with the Board in the supervision and investigation of her compliance with the terms and conditions of this Stipulation.
- 24) Licensee shall be financially responsible for any cost incurred as a result of compliance with the terms and conditions of this stipulated agreement.

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 she engages in future conduct resulting in violations of the law or terms of probation the Board may take further disciplinary action against her license, up to and including revocation of her license to practice as a Registered Nurse or her certificate 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.

Licensee acknowledges that no promises, representation, duress, or coercion has been used to induce her to sign this Stipulated Order.

Licensee understands that this Stipulated Order is a public record.

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

IT IS SO AGREED:

Cheryl Pippin, NP

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date