

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	
)	FINAL ORDER
Janet Matthews, RN, FNP)	
)	
License No. 200940766RN)	Case No: 11-027

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses, and Nurse Practitioners in the State of Oregon. Janet Matthews (Licensee) is a Registered Nurse and Family Nurse Practitioner in the State of Oregon.

This Matter was considered by the Board on February 16, 2011. Licensee did not appear personally. The issue for the Board was whether to approve the Stipulation for Reprimand with Conditions signed by Licensee on January 14, 2011 and so dispense with this Matter pursuant to ORS 183.417(3).

Upon review of the Stipulation and the agency file in this Matter, the Board finds that reasonable factual and legal grounds exist to support approval of the Stipulation. It is hereby

ORDERED that the Stipulation signed by Licensee on January 14, 2011 be approved and by this reference incorporated herein, and it is further

ORDERED that the Board adopt the Stipulation and that the Registered Nurse License and Family Nurse Practitioner certificate, of Janet Matthews be reprimanded as set forth in the Stipulation.

DATED this _____ day of February 2011.

Patricia Markesino, RN
Board President

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	STIPULATION FOR REPRIMAND OF
)	REGISTERED NURSE LICENSE
Janet Matthews, RN, FNP)	AND NURSE PRACTITIONER
)	CERTIFICATE WITH CONDITIONS
License No. 0770388807RN)	
)	Case No. 11-027
Certificate No, 200150137NP)	

The Oregon State Board of Nursing, (Board) is the agency responsible for licensing and regulating Registered Nurses in the State of Oregon. Janet Matthews, hereinafter referred to as "Licensee," is a Registered Nurse (RN) and Family Nurse Practitioner (FNP) in the State of Oregon. Licensee graduated from University of Louisville Nursing program, with a Bachelors Degree in Nursing in May 1991. Licensee received her NP Certificate by application in Oregon on October 18, 2001.

On July 22, 2010, Licensee was reported to the Board for failing to document care provided to a patient, for failing to provide care to two scheduled patients, and for leaving before her shift had ended without informing clinic staff on June 8, 2010, while working at Liberty Street Clinic. Both patients were seen on the same day by another provider at the clinic. Additionally, it was reported that Licensee had failed to disclose previous disciplinary action on her credentialing application. The Board opened an investigation into the matter.

Licensee acknowledged that she had resigned from her position as a FNP at Liberty Street Clinic without notice on June 8, 2010. She confirmed that when she left the facility, she did not notify clinic staff of her departure, or ensure that she had completed care for all of her scheduled patients. Licensee stated that at the time, she believed she was working within the provisions of her employment contract, which stated that either party were was to terminate the employment relationship at any time with or without notice or cause. She stated that before she left, she believed that she had completed all patient documentation and had seen all scheduled patients for the day.

Licensee acknowledged that she did not confirm that all scheduled patients had been seen prior to her departure. She expressed remorse for her actions, and recognized that her behavior did not meet the expectations of a nurse practitioner, or the standards of nursing, and was an inappropriate reaction to an employer/employee dispute. She stated that in the future she would make certain that all patients were seen, and care documented, prior to leaving any assignment.

Licensee stated that she had not intentionally omitted disciplinary information from her original credentialing application, but had been confused by the question and how it related to the circumstances of the previous disciplinary action. She further stated that she had provided a corrected version of her credentialing application to the appropriate personnel, as well as a letter of explanation, regarding the disciplinary action against her license when it was

requested. She provided copies of the correspondence and documentation to the Board for verification.

II

The above conduct constitutes behavior and conduct derogatory to the standards of nursing, in violation of ORS 678.111 (1); (f); OAR 851-045-0070 (1) (j); (3) (b) and (4) (b).

678.111 Causes for denial, revocation, suspension of license or probation, reprimand or censure of licensee:

(1) Issuance of a license to practice nursing, whether by examination or by endorsement, 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.

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

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:

(j) Leaving or failing to complete any nursing assignment, including a supervisory assignment, without notifying the appropriate personnel and confirming that nursing assignment responsibilities will be met.

(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.

(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.

III

Licensee admits to the above violations and wishes to cooperate with the Board in resolving the present disciplinary matter. Therefore the following will be proposed to the Board and is agreed

to by Licensee:

That the Registered Nurse License and Nurse Practitioner certificate of Janet Matthews shall be Reprimanded with the following conditions:

1. That Ms. Matthews shall complete a course on Professional Accountability.
2. That Ms. Matthews shall not violate the Nurse Practice Act (ORS 678.111) or any of the administrative rules adopted thereunder.
3. That Ms. Matthews shall be financially responsible for any costs she may incur as a result of compliance with the terms and conditions of this Stipulation.
4. That Ms. Matthews shall provide proof of successful completion of the class to the Board no later than April 15, 2011.

Ms. Matthews understands that in the event she engages in future conduct resulting in violations of law or violations of the terms and conditions of this Stipulation, the Board may take further disciplinary action against her, up to and including revocation of her nursing license and/or nurse practitioner certificate.

Ms. Matthews understands that this Stipulation will be submitted to the Board for approval, and that it is subject to its confirmation.

Ms. Matthews understands that, by entering into this Stipulation, she waives the right to an administrative hearing under ORS 183.310 to 183.550.

Ms. Matthews understands that this Stipulation is a public record.

Ms. Matthews, by her signature below, attests that she has read and understands this Stipulation and agrees to abide by each and every one of its terms and conditions. Ms. Matthews further attests that no promises, representations, duress, or coercion have been used to induce her to sign this Stipulation.

Dated this _____ day of January, 2011

Janet Matthews, RN, FNP

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Marilyn L. Hudson, RN, MSN, CNS, FRE
Investigation Manager
Investigation Department

Michelle Standridge BSN, RN
Nurse Investigator
Investigation Department