

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Willy Whitebird, RN** ) **VOLUNTARY SURRENDER**  
)  
**License No. 200341590RN** ) **Reference No. 12-02390**

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Willy Whitebird (Licensee) was issued a Registered Nurse license by the Oregon State Board of Nursing (Board) on July 25, 2003.

On or about May 23, 2012, the Board received information that Licensee was criminally charged with Conspiracy to Commit Mail Fraud, False Statements, and Mail Fraud Conspiracy with co-defendant Michael Allen Snow.

According to the charges, Licensee assisted Mr. Snow, a convicted sex offender in obtaining a birth certificate and new identity when she fabricated prenatal and birth records for him under the name of Winter Rain Waters. Additionally, Licensee testified under oath that she had attended his birth, and submitted a request for a late registration of his birth.

On October 16, 2012, Licensee entered into a plea agreement regarding the charges, pleading guilty to one count of Conspiracy to Commit Mail Fraud. As part of the agreement, Licensee admitted to the elements of the offense, and acknowledged that the government would prove at trial that she was aware that her co-defendant was a sex offender.

Licensee further admitted that on or about July 22, 2010, she created and fabricated prenatal and birth records in the name of Winter Rain Waters, and provided the fabricated records to Mr. Snow, which caused the court to issue a Registration of Birth under that name.

By the above actions, Licensee is subject to discipline pursuant to ORS 678.111 (1) (a), (d), (f) and (g); and OAR 851-673-0070 (3) (c) and (4) (b); and OAR 851-673-0080 (3) (a), (b), (c) and (d).

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:

(a) Conviction of the licensee of crime where such crime bears demonstrable relationship to the practice of nursing. A copy of the record of such conviction, certified to by the clerk of the

court entering the conviction, shall be conclusive evidence of the conviction.

(d) Fraud or deceit of the licensee in the practice of nursing or in admission to such practice.

(f) Conduct derogatory to the standards of nursing.

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

#### Conduct Derogatory to the Standards of Nursing Defined OAR 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:

(3) Conduct related to communication:

(c) Falsifying a client or agency record or records prepared for an accrediting or credentialing entity; including, but not limited to, filling in someone else's omissions, signing someone else's name, record care not given, and fabricating data/values.

(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.

#### Criminal Conviction History/Falsification of Application û Denial of Licensure; Revocation of Licensure OAR 851-045-0080

(3) All other applicants with conviction histories, other than those listed above, including crimes which are drug and alcohol related, will be considered on an individual basis. The following factors will be considered by the Board:

(a) Evidence of rehabilitation;

(b) The length of time since the conviction to the time of application for licensure as a practical nurse or registered nurse;

(c) The circumstances surrounding the commission of the crime which demonstrate that a repeat offense is not likely; and

(d) Character references.

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender her Registered Nurse license.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

**That the voluntary surrender of the Registered Nurse license of Willy Whitebird be accepted. If, after a minimum of three years, Ms. Whitebird wishes to reinstate her Registered Nurse license, she may submit an application to the Board to request reinstatement.**

Licensee agrees that she will not practice as a Registered Nurse from the date she signs this Order.

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. 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 Voluntary Surrender.

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Willy Whitebird, RN

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Date

**ORDER**

IT IS SO ORDERED:

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

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Kay Carnegie, RN, MS  
Board President

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Date