

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Jennifer Barren, RN) **PROBATION**
)
License No. 200941762RN) **Reference No. 14-00762**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Jennifer Barren (Licensee) was issued a registered nurse license by the Board on July 15, 2009.

On or about December 2, 2013, the Board received information that Licensee violated professional boundaries by engaging in an ongoing personal relationship with a patient at the psychiatric hospital while Licensee worked there as a registered nurse. The patient involved has been hospitalized for nine years since suffering a single severe episode of major depressive disorder with psychotic features. He is not considered to have an active mental health diagnosis and was not being treated with medication during the time Licensee worked at the hospital.

Licensee admits that over the course of approximately two years she and the patient developed a personal friendship. She admits that during some of the time she was employed at the hospital she was in contact with the patient by telephone outside of work hours. Licensee acknowledges she developed romantic feelings for the patient. Licensee denies engaging in a sexual relationship or inappropriate physical contact with the patient.

Licensee admits that during the course of her relationship with the patient she may have gained knowledge relevant to the patient's state of mind which she failed to document or share with the patient's medical team. Licensee admits that her actions may have interfered with the therapeutic nurse-client relationship and admits that her actions violated professional boundaries and nursing standards.

Licensee has initiated a course of intensive counseling and has completed 17 credit hours of continuing education in ethics, professional boundaries and responsibilities.

By the above actions, Licensee is subject to discipline pursuant to **ORS 678.111 (1)(f), OAR 851-045-0070(1)(b)(n) and (3)(b) 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.

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:

(n) Failing to maintain professional boundaries with a client.

(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.

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 Registered Nurse license of Jennifer Barren be placed on Probation. The Licensee's compliance with this agreement will be monitored by the Oregon State Board of Nursing from date of the Final Order. Licensee must complete a twelve (12) month period of probation to begin upon her return to supervised nursing practice at the level of a Registered Nurse. Licensee must practice 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 scope of duties in order to demonstrate whether or not she is competent. Limited overtime may be approved on occasion. Any period in which Licensee does not practice in the State of Oregon will not count toward the probationary period. Licensee will meet with a licensed counselor for one year (to include sessions already attended), on a schedule to be determined by the counselor. The counselor will provide monthly progress reports to the Board.

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 twenty-four (24) months from Board acceptance of this Stipulation to complete twelve (12) months of monitored practice.
- 3) Licensee shall notify the Board, 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 the Board in advance of any absences from Oregon and/or 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.

- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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 Stipulation for Probation and Board Order when Licensee is employed.
- 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 practice and provide assistance. Licensee shall be employed in a setting where her 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 nursing supervisor must submit the quarterly evaluation within 10 days of the due date. If the evaluation is not received at such time, Board staff will contact the employer to remind them. If the Board does not receive the report within 5 business days from the time the employer is contacted, the probationer will be restricted from practice.
- 11) Between regular reporting periods, the Nurse Executive or comparable person, shall inform the Board of any instance of the probationer's non-compliance with the terms and conditions of this Stipulation 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.
- 12) Licensee shall notify the Board when there is a change in status of employment including resignations or terminations.
- 13) Licensee shall not work in any practice setting in which on-site supervision is not available. This generally includes 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 of acute care settings.
- 14) 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.

15) Licensee shall cooperate fully with the Board in the supervision and investigation of her compliance with the terms and conditions of this Stipulation.

Licensee understands that the conduct resulting in the violations of law, described in this Stipulation 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.

Licensee understands that this Stipulation will be submitted to the Board of Nursing for approval and is subject to the Board's confirmation.

Licensee understands that by entering into the stipulated agreement, she waives the right to an administrative hearing.

Licensee states no promises, representation, duress, or coercion has been used to induce her to sign this Stipulation.

Licensee understands that this Stipulation is a public record.

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

IT IS SO AGREED:

Jennifer Barren, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date