

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

In the Matter of:)	FINAL ORDER
)	FOR REPRIMAND
Nancy A. Erb, GNP)	OF GERIATRIC NURSE
)	PRACTITIONER CERTIFICATE
)	
Certificate No. 200650088NP)	Case No. 11-039

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Nurse Practitioners, in the State of Oregon. Nancy A. Erb (Licensee) is a Geriatric Nurse Practitioner in the State of Oregon.

This Matter was considered by the Board on January 19, 2011. Licensee did not appear personally. The issue for the Board was whether to approve the Stipulation for Reprimand signed by Licensee on December 13, 2010 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 December 3, 2010 be approved and by this reference incorporated herein, and it is further

ORDERED that the Board adopt the Stipulation and that the Geriatric Nurse Practitioner certificate of Nancy A. Erb be reprimanded as set forth in the Stipulation.

DATED this _____ day of January 2011.

Patricia Markesino, RN
Board President

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

In the Matter of)	
)	STIPULATION FOR REPRIMAND
NANCY A. ERB, RN, GNP)	
)	
Certificate No. 200650088NP)	Case No. 11-039

Ms. Erb is a Geriatric Nurse Practitioner (GNP) who became certified as such in Oregon on July 12, 2006. Ms. Erb was also granted Prescriptive Privileges on July 12, 2006.

On July 19, 2010, Ms. Erb self-reported that she had been convicted of two misdemeanors for threatening one of her neighbors with a firearm.

During a personal interview, Ms. Erb reported that in January 2010 she began having problems with the neighbors who lived in the apartment above her. According to Ms. Erb, on February 12, 2010, she heard someone from the apartment above loudly coming down the stairs and approaching her apartment door. After the person pounded on her door, Ms. Erb opened the door with an unloaded gun pointed downward. Ms. Erb reported that after she asked the woman to leave, the woman became more agitated, so Ms. Erb raised the gun and the woman ran away.

Ms. Erb admitted to her misconduct and reported that she should have called the police when she felt threatened. Ms. Erb further reported that she does not currently own a firearm and does not plan to ever be in possession of one again.

On February 19, 2010, Ms. Erb was convicted of Pointing a Firearm at Another (ORS 166.190 M/U), Menacing (ORS 163.190 M/A) and Disorderly Conduct in the Second Degree (ORS 166.025 Violation). She is compliant with the conditions of her sentence although she is currently appealing the court's decision.

By the above actions, Ms. Erb is subject to discipline pursuant ORS 678.111 (1) (a); and OAR 851-045-0080 (3) (a), (b), (c) and (d) which reads as set out below:

ORS 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.

Criminal Conviction History/Falsification of Application - 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.

Ms. Erb acknowledges her misconduct and wishes to cooperate with the Board in resolving the present disciplinary problems.

Therefore the following will be proposed to the Board and is agreed to by Ms. Erb:

That the Geriatric Nurse Practitioner certificate of Nancy A. Erb be reprimanded.

Ms. Erb understands that the conduct resulting in the violations of law described in this Stipulation are considered by the Board to be serious and if continue, constitute a potential for danger to the public's health, safety and well being.

Ms. Erb 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 certificate, up to and including revocation of her nurse practitioner certificate.

Ms. Erb understands this Stipulation will be submitted to the Board of Nursing at their next meeting for approval and is subject to the Board's confirmation.

Ms. Erb understands that this Stipulation will become a public record at such time as the Board issues an Order adopting it.

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

Ms. Erb has read this Stipulation and understands it completely.

Dated this _____ day of _____, 2010

Nancy A. Erb, RN, GNP

OREGON STATE BOARD OF NURSING

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

SIGNATURES & DATED COPY OF FILED IN BOARD OFFICE