

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Joseph Thurman, RN) **VOLUNTARY SURRENDER**
)
License No. 096003217RN) **Reference No. 16-00240**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses. Joseph Thurman (Licensee) was issued a Registered Nurse License/Certificate by the Board on July 23, 1997.

On or about December 14, 2014, the Board received information that Licensee was impaired at work. A case was opened by the Board. Licensee underwent a chemical dependency evaluation and Thurman was diagnosed as with alcohol use disorder, severe and opioid abuse disorder, severe.

Licensee was approved by the Board for entry into the Health Professional Services Program (HPSP) on February 18, 2015.

Prior to final ratification by the Board licensee was reported for a positive toxicology result by the HPSP. Licensee was pulled from the March 2015 meeting. Licensee submitted to a third party evaluation and reconnected with treatment.

On April 15, 2015, the Board approved entry into the HPSP.

On July 28, 2015, licensee presented with a positive toxicology result for ETG. The latest report from licensee's treatment for July showed licensee had kept treatment appointments.

Licensee indicated to the HPSP monitor that he was going to surrender his license as he cannot afford to pay for toxicology tests or treatment costs.

By the above actions, Licensee is subject to discipline pursuant to . . .

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

(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:

- (e) Impairment as defined in ORS 676.303.
- (f) Conduct derogatory to the standards of nursing.
- (g) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder.

ORS 678.112 Impaired health professional program. Persons licensed to practice nursing who elect not to participate in the impaired health professional program established under ORS 676.190 or who fail to comply with the terms of participation shall be reported to the Oregon State Board of Nursing for formal disciplinary action under ORS 678.111. [1991 c.193 §2; 2007 c.335 §1; 2009 c.697 §7; 2009 c.756 §§32,94]

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:

(5) Conduct related to impaired function:

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

(7) Conduct related to the licensee's relationship with the Board:

(e) Failing to comply with the terms and conditions of Nurse Monitoring Program agreements.

OAR 851-070-0080 Licensee Responsibilities

(1) All licensees must:

(c) Abstain from mind-altering or intoxicating substances or potentially addictive drugs, unless prescribed for a documented medical condition by a person authorized by law to prescribe the drug to the licensee. The Board does not authorize the vendor to approve or disapprove medications prescribed to the Licensee for a documented medical condition;

(d) Report use of mind-altering or intoxicating substances or potentially addictive drugs within 24 hours;

851-070-0090 Completion Requirements

(1) To successfully complete the Health Professionals' Services Program (HPSP), licensees with a substance use disorder, or with a mental health disorder and a substance use disorder, must have participated in the HPSP program for a minimum of four years and have worked for at least two years in a supervised monitored practice. Licensees must complete the required two years of supervised monitored practice within four years of entering the Health Professionals' Services Program.

Licensee wishes to cooperate with the Board in this matter and voluntarily surrender his 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 Joseph Thurman be accepted. If, after a minimum of three years, Mr. Thurman wishes to reinstate his Registered Nurse license, he may submit an application to the Board to request

reinstatement.

Licensee agrees that he will not practice as a Registered Nurse from the date he 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, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Licensee acknowledges that no promises, representations, duress or coercion have been used to induce him 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.

Joseph Thurman, RN

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Gary Hickmann, RN
Board President

Date