

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Scott Torrey, RN**

FINAL ORDER

License No. 200641429RN

Reference No. 10-00616

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses, in the State of Oregon. Scott Michael Torrey (Licensee) is a Registered Nurse in the State of Oregon.

This Matter was considered by the Board on February 16, 2011. The issue for the Board was whether to approve the Stipulation signed by Licensee on January 25, 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 25, 2011, be approved and by this reference incorporated herein, and it is further

ORDERED that the Board accept the Stipulation for Reprimand with Conditions of Scott Michael Torrey's Registered Nurse License and that the Stipulation for Reprimand with Conditions be adopted.

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)
)
SCOTT MICHAEL TORREY) STIPULATION FOR
) REPRIMAND
) WITH CONDITIONS
)
License No. 200641429RN) Case No. 10-616

I

The Oregon State Board of Nursing, (Board) is the agency responsible for licensing and regulating Registered Nurses in the State of Oregon. Scott Michael Torrey, hereinafter referred to as "Licensee," is a Registered Nurse in the State of Oregon. The Board issued Licensee a Registered Nurse license no. 200641429RN by examination on June 27, 2006.

On or about June 30, 2010, Licensee came to the attention of the Board when he was reported for suspicion of diversion. Licensee's supervisor discovered missing medications, narcotic sheet discrepancies, forged signatures, inmate/patient complaints of not receiving pain medications and/or medications that were crushed upon administration and without a doctor's order.

A review of Controlled Substance Inventory Records revealed numerous date and time discrepancies, discrepancies between the Controlled Substance Inventory Records and MARS, and one forged signature. Licensee had documented on the Controlled Substance Inventory Record that another nurse had given a pain medication at a time when she wasn't working. Licensee did this by writing her name under the signature portion of the document.

Licensee explained to Board staff that he was assigned to work as the "jail pod med nurse", which was a new position for him. He normally worked in the booking area of the jail, which required him to pass medications to a manageable amount of inmates. As a "jail pod med nurse" he was required to pass a large amount of medications to all of the housed inmates that required medications. Licensee said he was extremely overwhelmed in this position and had a difficult time keeping up with the demands of the job.

Licensee explained that he would administer medications for the previous shift nurse if she needed help at the end of her shift. He would document this in the Controlled Substance Inventory Record, which appeared he had administered twice within his shift. Sometimes, he would document his own administration first and then the earlier administration he completed for the other nurse, which caused the discrepancies in the dates and times.

Licensee admitted that the evidence appeared suspicious, but he denied diversion. He admitted

he failed to document correctly. He admitted he wrote another nurses name on the Controlled Substance Inventory Record, because she had asked him to administer a medication for an inmate. He said he left a note asking her to initial the entry, but she never did. Licensee denied withholding medications from inmates. He stated if inmates had an issue with hiding medications in their hands or mouths during the administration process, nurses could crush their medications without an order.

Board staff contacted the other nurses involved who denied they had asked Licensee to administer medications for them. The other nurses stated there has never been a standing order to crush pain medications, only Wellbutrin. Nurses are required to obtain a doctor's order to crush pain medications.

II

The above conduct is a violation of the provisions of ORS 678.111 (1) (f) and OAR 851-045-0070 (3) (a), (c), and (4) (a).

ORS 678.111

(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.

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:

(a) Inaccurate recordkeeping in client or agency records.

(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 omission, signing someone else's name, record care not given, and fabricating date/values.

(4) Conducted related to achieving and maintaining clinical competency.

(a) Performing acts beyond the authorized scope or the level of nursing for which the individual is licensed.

Licensee admits to the above conduct and that such conduct constitutes the violations described above, and wishes to cooperate with the Board in resolving this matter. Therefore the following will be proposed to the Oregon State Board of Nursing and is agreed to by Licensee:

That Scott Michael Torrey, RN, be Reprimanded with Conditions.

1. Licensee shall successfully complete a course pertaining to Documentation. The continuing education or academic course may be self-study, a class on the Internet, or another available alternative that must be approved in advance by the Board. This course work must be completed 30 days after the mailing of the Final Order.
 - a. Licensee shall provide proof of successful completion of the course(s) (report, certificate of completion, transcripts etc).
 - b. Licensee shall write a paper no less than three pages in length about the course presenting an outline of the course and the information he has learned which can make a difference in his practice as a Registered Nurse. He shall submit the report to Board staff within 60 days after the mailing of the Final Order.

Licensee understands that the conduct resulting in the violations of law described in this Stipulation are considered by the Board to be of grave nature and if continued, constitutes a serious danger to public health and safety.

Licensee understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his license, up to and including revocation of his license as a Registered Nurse.

Licensee 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.

Licensee understands that this Stipulation will become a matter of public record at such time as the Board issues a Final Order adopting it.

Licensee understands that by entering into the stipulated agreement, he waives the right to an administrative hearing and to appeal or otherwise challenge this agreement or a final order issued by the board based upon this stipulated agreement.

Licensee states no promises or representations not stated herein, or any duress or coercion have been used to induce him to sign this stipulation.

Licensee has read this stipulation and understands it completely

Dated this _____ day of _____, 2010

Scott Michael Torrey, RN

OREGON STATE BOARD OF NURSING

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

Cheryl Martini
Investigator
Investigations Department

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE