The attached are Primary Source Documents of the Idaho Board of Nursing for:

EMILY PATTERSON
N-32909

Idaho Board of Nursing – PO Box 83720 – Boise, Idaho 83720-0061 – (208) 334-3110
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:  

EMILY PATTERSON,  
License No. N-32909,  
Respondent.  

Case No. BON 06-006  

STIPULATION AND CONSENT ORDER

WHEREAS, information having been received by the Idaho State Board of Nursing (hereinafter the “Board”) which constitutes sufficient grounds for the initiation of an administrative action against Emily Patterson (hereinafter “Respondent”); and

WHEREAS, the parties mutually agree to settle the matter pending administrative Board action in an expeditious manner; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A.

1. The Board may regulate the practice of nursing in the State of Idaho in accordance with title 54, chapter 14, Idaho Code.

2. Respondent Emily Patterson is a licensee of the Idaho State Board of Nursing and holds License No. N-32909 to practice professional nursing in the State of Idaho. Respondent’s license is subject to the provisions of title 54, chapter 14, Idaho Code.

3. On January 16, 2006, while working at St. Luke’s Regional Medical Center, Respondent failed to properly assess a post-operative patient who was experiencing left-sided weakness following a cervical procedure. In addition, Respondent failed to notify the patient’s doctor or inform the charge nurse of the patient’s left-sided weakness.

4. The above-stated allegations, if proven, would constitute a violation of the laws and rules governing the practice of nursing, specifically Idaho Code § 54-1413(1)(d)
and (g) and Board Rules (IDAPA 23.01.01) 100.05, 100.08, 101.04.a, 101.04.d and 101.05.c.

5. Respondent, in lieu of proceeding with a formal disciplinary action to adjudicate the allegations as set forth above, hereby admits the violations and agrees to the discipline against her license as set forth in Section C below.

B.

I, Emily Patterson, by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated above in section A. I further understand that these allegations, if proven, constitute cause to discipline my license to practice nursing in the State of Idaho, and I agree that the Board has jurisdiction to proceed in this matter.

2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to so testify myself; the right to reconsideration; the right to appeal; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of nursing in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this stipulation as a resolution of the pending allegations.

3. I understand that in signing this consent order I am enabling the Board to impose disciplinary action upon my license without further process.

C.

Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and order upon this Stipulation whereby:

1. Respondent shall be placed upon probation immediately upon entry of the Board’s Order. Conditions of probation shall include the following requirements:
   a. Respondent shall be supervised by an experienced licensed professional nurse for a period of not less than one hundred sixty (160) hours and shall
inform her immediate supervisor of this restriction immediately. Respondent shall provide the Board with the name, work address, and work phone number of the supervisor responsible for such supervision.

b. At the conclusion of the 160-hour supervised practice, Respondent’s supervisor shall submit a written performance evaluation to the Board regarding Respondent’s basic nursing skills and confirming that Respondent worked a minimum of 160 hours of supervised practice.

c. Respondent shall comply with all the laws and rules of the Board of Nursing.

d. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

2. Within thirty (30) days of receipt of Respondent’s supervisor’s written performance evaluation, the Board shall determine whether to reinstate Respondent’s license without restriction or whether additional measures are necessary to ensure that Respondent is able to safely practice nursing.

3. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

4. The violation of any of the terms of this Stipulation by Respondent will warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D.

1. It is hereby agreed between the parties that this settlement agreement shall be presented to the Board with a recommendation for approval from the Deputy Attorney General responsible for prosecution before the Board at the regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify with Respondent’s approval, or reject this settlement agreement, and if rejected by the Board,
an administrative hearing will be held at the next regularly scheduled Board meeting. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the allegations in the Complaint if, after review by the Board, this settlement agreement is rejected.

3. If the Board does not accept this Consent Order, it shall be regarded as null and void. Admissions by Respondent in the settlement agreement will not be regarded as evidence against Respondent at the subsequent disciplinary hearing.

4. This Consent Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

5. Any failure on the part of Respondent to timely and completely comply with any term or condition herein shall be deemed a default.

6. Respondent understands that the Board will not refund, in whole or in part, any monies paid to the Board for initial licensure or renewal licensure.

7. Any default of this Consent Order shall be considered a violation of Idaho Code § 54-1413. If Respondent violates or fails to comply with this Consent Order, the Board may impose additional discipline pursuant to the following procedure:

   a. The Board’s executive director shall schedule a hearing before the Board. Within twenty-one (21) days after the notice of hearing and charges is served, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations will be deemed admitted.

   b. At the hearing before the Board upon default, Board staff and Respondent may submit affidavits made on personal knowledge and argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to such affidavits and this Consent Order. Respondent waives a hearing before the Board on the facts and substantive matters related to the violations described in Section A, and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative
hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent’s practice or suspension or revocation of Respondent’s license.

8. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

9. This Stipulation and Consent Order contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I will be waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Consent Order as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this stipulation according to the aforementioned terms, and I hereby agree to the above stipulation for settlement. I understand that if the Board approves this stipulation subject to changes, and the changes are acceptable to me, the stipulation will take effect and an order modifying the terms of the stipulation will be issued. If the changes are unacceptable to me or the Board rejects this stipulation, it will be of no effect.

DATED this 14th day of June, 2006.

Emily Patterson
Respondent
I concur in this stipulation and order.

DATED this 16th day of June, 2006.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Karl T. Klein
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-1404, the foregoing is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 37th day of July, 2006. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By Susan Odom, Ph.D., R.N.
Chair

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of [Date], 2006, I caused to be served a true and correct copy of the foregoing by the following method to:

Emily Patterson
3459 S. Capulet Way
Meridian, ID 83642

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: __________________________
☐ Statehouse Mail

Karl T. Klein
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivery
☐ Certified Mail, Return Receipt Requested
☐ Overnight Mail
☐ Facsimile: __________________________
☐ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing

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