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

JARAD THOMPSON
N-28525
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: JARED THOMPSON,
License No. N-28525, Respondent.

Case No. 04-070

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND FINAL ORDER

A disciplinary complaint was filed against Respondent Jared Thompson (hereinafter "Respondent") August 25, 2004. Subsequently, in correspondence received September 16, 2004, Respondent requested a hearing to contest the allegations contained in the complaint. On November 11, 2004, Respondent appeared and testified before the Idaho Board of Nursing (hereinafter "Board") during its regularly scheduled meeting. Board Chairman Randall Hudspeth, RN, NP, CNS, presided. Board members Daniel Bauer, RN, Karen Ellis, RN, Analyn Frasure, LPN, Jill Howell, RN, Shirlie Meyer, RN, and Susan Odom, PhD, RN, participated in the hearing. Consumer member of the Board, Sheri Florence, participated. Board member Ridon Clemm, LPN, recused herself from participation in the hearing and took no part in discussion or decision.

Having listened to the testimony, and reviewed the complaint and other documents filed in this matter, the Board enters the following Findings of Fact, Conclusions of Law, and Final Order.

FINDINGS OF FACT

1. Respondent herein is licensed to engage in the practice of nursing by the Idaho State Board of Nursing. Respondent holds nursing license number N-28525.
2. On February 27, 2004, Respondent engaged in discussions about a female patient who had been admitted to EIRM C's ICU from the emergency department. The discussions concerned the patient's breast size and speculation about whether she had undergone breast augmentation.

3. Later that day, Respondent and co-workers went into the patient's room. Respondent lifted the arm of her gown, and the participants looked for scars.

4. Respondent admitted to his involvement in the foregoing conduct.

CONCLUSIONS OF LAW

1. The facts as stated above fall within the regulatory jurisdiction of the Board as set forth in title 54, chapter 14, Idaho Code.

2. The Board has power to revoke, suspend, or amend any license issued pursuant to the act if the licensee has engaged in behavior that constitutes grounds for discipline. Idaho Code § 54-1413(1) and IDAPA 23.01.01.101.01.

3. Violating the Nursing Practice Act or rules and standards of practice and conduct as adopted by the Board is behavior that constitutes grounds for discipline. Idaho Code § 54-1413 (1)(g).

4. Failing to respect patients' privacy is a violation of the standards of conduct and as such is grounds for imposition of an order of discipline. IDAPA 23.01.01.101.04.g.

5. Abusing patient trust is a violation of the standards of conduct and as such is grounds for imposition of an order of discipline. IDAPA 23.01.01.101.05.h.

6. Respondent's acts, as set forth above, and his failure to act in accord with the standards of practice and conduct and adhere to the laws and rules governing his
continued practice of nursing constitute violations of Idaho Code § 54-1413(1)(a) and IDAPA 23.01.01.101.01, 23.01.01.101.04.g and 23.01.01.101.05.h, thereby authorizing the Board to impose sanctions against Respondent pursuant to Idaho Code §§ 54-1413(3)(a) and 67-5242(4).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, IT IS HEREBY ORDERED and this does ORDER that Respondent be officially reprimanded for his conduct and that this ORDER be a reportable disciplinary event for all purposes. It is FURTHER ORDERED, and this does ORDER that Respondent be required to satisfactorily complete an ethics course, approved by the Board, within ninety (90) days of entry of this ORDER.

DATED this 22 day of December 2004.

IDAHO STATE BOARD OF NURSING

By: [Signature]
RANDALL HUDSPETH, NP, CNS
Chairman

NOTICE OF APPEAL RIGHTS

This is a Final Order of the agency. Any party may file a motion for reconsideration of this Final Order within fourteen (14) days of the service date of this Order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).
Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this Final Order or orders previously issued in this case may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. a hearing was held,

ii. the final agency action was taken,

iii. the party seeking review of the order resides or operates its principal place of business in Idaho, or

iv. the real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this Final Order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December 2004, I caused to be served a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER, via certified U.S. Mail, postage prepaid, return receipt requested, and addressed to:

Cheri L. Bush
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

U.S. Mail, postage prepaid
Certified U.S. Mail, return receipt
Hand Delivery
Overnight Mail
Facsimile: ________________
X Statehouse Mail

Jared Thompson
733 Sunnyside Road
St. Helen’s, CA 93570

X U.S. Mail, postage prepaid
X Certified U.S. Mail, return receipt
Hand Delivery
Overnight Mail
Facsimile: ________________

Kay Christensen
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

X U.S. Mail, postage prepaid
Certified U.S. Mail, return receipt
Hand Delivery
Overnight Mail
Facsimile: ________________
X Statehouse Mail

SANDRA EVANS, M.A.Ed., R.N.
Executive Director
Board of Nursing
**U.S. Postal Service**

**CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

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**Official Use**

- **POSTAGE**: 
  - Paid
- **Certified Fee**: 
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- **Return Receipt Fee**: 
  - 
- **Restricted Delivery Fee**: 
  - 

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**JARED THOMPSON**

733 SUNNYSIDE RD

ST HELEN'S CA 93570

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**Receipt Details**

- **Signature**: [Signature]
- **Service Type**: Certified Mail
- **Tracking Number**: 100355658856

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**PS Form 3600, May 2000**

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**Other Details**

- **Received by**: 
- **Date of Delivery**: 
- **Restricted Delivery**: Yes

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**PS Form 3811, July 1999**

**Domestic Return Receipt**

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**Number**: 106595-06-W-0682
BEFORE THE IDAHO STATE BOARD OF NURSES

In the Matter of the License of: )

JARED THOMPSON )
License No. N-29058, )
Respondent. )

Case No. 04-070

NOTICE OF DEPOSITION

TO: Karen Ford
   c/o Laurie Gaffney
   BEARD, ST. CLAIR, GAFFNEY, McNAMARA, CALDER, P.A.
   2195 Coronado Street
   Idaho Falls, ID 83404-7495

PLEASE TAKE NOTICE that the State of Idaho, by and through the Office of the Attorney General, will take testimony on oral examination of Karen Ford, before a notary public and court reporter, or before some other officer authorized to administer oaths, on October 15, 2004, at 10:00 a.m., and thereafter from day to day as the taking of the deposition may be adjourned, at Beard, St. Clair, Gaffney, McNamara, Calder, 2195 Coronado Street, Idaho Falls, Idaho, at which time and place you are notified to appear and take such part in the examination as you may deem proper.

This deposition shall be taken pursuant to the Idaho Rules of Civil Procedure.

All parties should be advised that, pursuant to I.R.C.P. 32(a), the State will use the deponents deposition testimony at hearing as she will not be available for hearing set for November 11, 2004.

The deposition will continue from day to day until completed.

DATED this 28th day of September, 2004.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Cheri L. Bush
Deputy Attorney General

NOTICE OF DEPOSITION - 1
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of September, 2004, I caused to be served a true and correct copy of the foregoing NOTICE OF DEPOSITION addressed as follows:

Jared Thompson
733 Sunnyside Road
Saint Helena, CA 94574-9741

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

Cheri L. Bush
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: ) Case No. 04-070
JARED THOMPSON ) NOTICE OF HEARING
License No. N-28525 )
Respondent. )

To: Jared Thompson
733 Sunnyside Rd.
St. Helen’s, CA 93570

Pursuant to the provisions of title 54, chapter 14, Idaho Code, and the duly promulgated rules of the Idaho State Board of Nursing, you are hereby notified and requested to appear before the Board on the 11th day of November, 2004, at 10:30 a.m. (MDT) at the AmeriSuites, 925 N. Milwaukee in Boise, ID and from time to time thereafter as may be required by the Board, on whether or not your license should be disciplined for the reasons set forth in the Complaint filed against you.

You are further notified that you may appear with or without the assistance of an attorney on the day, time and place specified in this Notice of Hearing and present testimony with respect to the above noted issues.

All persons requiring assistance pursuant to the Americans with Disabilities Act in order to participate in or understand the hearing must request such assistance ten (10) days in advance of the hearing by contacting the Board Office at the number or address listed below.

The hearing will be conducted pursuant to the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01. Copies of the
Administrative Procedure Act and the Idaho Rules of Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library.

All original official documents must be filed with the Idaho State Board of Nursing, 280 North 8th Street, Suite 210, Boise, ID 83720-0061; telephone (208) 334-3110; FAX (208) 334-3262. And a copy must be sent to:

Cheri L. Bush  
Deputy Attorney General  
Civil Litigation Division  
P.O. Box 83720  
Boise, ID 83720-0010

DATED this 20th day of SEPTEMBER, 2004.

IDAHO STATE BOARD OF NURSING

By Sandra Evans, M.A.Ed., R.N.  
Executive Director
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20TH day of SEPTEMBER, 2004 I caused to be served a true and correct copy of the foregoing NOTICE OF HEARING addressed as follows:

Cheri L. Bush
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

Jared Thompson
733 Sunnyside Rd.
St. Helen's, CA 93570

U.S. Mail, postage prepaid
____ Certified U.S. Mail, return receipt
____ Hand Delivery
____ Overnight Mail
____ Facsimile:
 x Statehouse Mail

x U.S. Mail, postage prepaid
x Certified U.S. Mail, return receipt
____ Hand Delivery
____ Overnight Mail
____ Facsimile:
____ Statehouse Mail

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

SENDERS COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
C. Signature
D. Service address different from item 17
 viewpoints are separated by vertical bars | | | 4 6 0

3. Service Type
 x Certified Mail
 x Registered
 x Return Receipt for Merchandise
 x Insured Mail
 x C.O.D.

4. Restricted Delivery? (Extra Fee) x Yes

NOTICE OF HEARING - 3
To: Members of the Idaho State Board of Nursing.

Dear Ladies and Gentlemen,

I would like to formally request a hearing with the Board of Nursing and contest the charges against me. I refer to Case No. 04-070. I would welcome the opportunity to talk with you in person and present evidence on my behalf. Thank you for your time and consideration in this matter.

Sincerely,

Jared R. Thompson.

[Signature]

11/11/04 10:30
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: 

JARED THOMPSON 
License No. N-28525, 
Respondent. 

) Case No. 04-070 
COMPLAINT

To: Jared Thompson 
733 Sunnyside Rd. 
St. Helen’s, CA 93570

STATEMENT OF CHARGES

1.
The Idaho State Board of Nursing (hereinafter the “Board”) is empowered by Idaho Code Section 54-1404 to regulate the practice of nursing in the State of Idaho.

2.
Jared Thompson (hereinafter “Respondent”) is licensed to engage in the practice of nursing by the Idaho State Board of Nursing under License No. N-28525.

3.
On or about July 20, 2004 the Board received a Report of Violation of the Nursing Practice Act from Eastern Idaho Regional Medical Center, Respondent’s former employer, setting forth an incident that occurred at the facility at that facility on February 27, 2004. On February 27, 2004 a female patient was admitted to EIRMC’s ICU from its’ Emergency Department. Respondent and at least two other co-workers went into the patient’s room to see if she had undergone breast augmentation. The patient was intubated and paralyzed when Respondent looked at the patient’s breasts.
4.

On August 10, 2004 a Board staff member interviewed Respondent about the Report of Violation and his involvement in the incident reported to the Board in same. Respondent denied he was the nurse that lifted the patient’s gown or that he asked if she was sedated prior to looking at her scar. He did not deny he looked at the patient’s breasts and the scar.

5.

Respondent’s conduct as set forth above if proven constitutes grounds for discipline as follows:

a) For violations of Idaho Code Section 54-1413 (1)(g) and IDAPA 23.01.01.100.08 and 23.01.01.101.01- Violates the law, or rules and standards of conduct and practice as may be adopted by the board;

b) For violations of IDAPA 23.01.01.101.04.g- Respecting patient’s privacy;

c) For violations of IDAPA 23.01.01.101.05.c- The nurse shall be responsible and accountable for his nursing judgments, actions and competence; and,

d) For violations of IDAPA 23.01.01.101.05.h- The nurse must not abuse the patient’s trust. The nurse shall respect the dignity of the profession and maintain appropriate professional boundaries with respect to patients. The nurse must be aware of the potential imbalance of power in professional relationships with patients, based upon their need for care, assistance…and to ensure that all aspects of the relationship focus exclusively upon the needs of the patient.

6.

Pursuant to Idaho Code Section 54-1413, the Board is authorized to enter an order suspending, revoking or otherwise disciplining Respondent’s license for Respondent’s violations of Idaho Code and the Board’s duly promulgated rules, as set forth above.
WHEREFORE, the Idaho State Board of Nursing prays for the following action:

1. That a hearing commence at a designated time to allow evidence on the allegations contained in the Complaint to be presented before the Board or the Board's designated hearing officer;

2. That subsequent to taking evidence, the waiver of a hearing, or the failure of the Respondent to file an Answer to this administrative Complaint, that the Board, or its designated hearing officer, shall issue findings of fact and conclusions of law finding the violations of law alleged herein and the Board shall determine whether the license of Respondent Jared Thompson should be suspended, revoked or otherwise disciplined pursuant to the statutory and regulatory authority of the Board of Nursing; and

3. For such other and further relief as the Board deems just and proper in the circumstances.

DATED this 25TH day of AUGUST, 2004.

IDAHO STATE BOARD OF NURSING

By Sandra Evans, M.A.Ed., R.N.
Executive Director

NOTIFICATION OF PROCEDURAL RIGHTS

Pursuant to the provisions of the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of the Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01, if you wish to contest the charges set forth in this Complaint, you must: (1) file with the Idaho State Board of Nursing a verified Answer to the allegations contained herein within twenty-one (21) days after you are served with this Complaint and (2) request an evidentiary hearing on the charges. You are further notified that if you fail to answer and/or request a hearing, the Board may
enter a default against you and be granted the relief sought in this Complaint. Upon receipt of your Answer and request for hearing, the matter will be reviewed and a hearing scheduled. You will then be notified of the date, time and place of the hearing, the name of the hearing officer appointed by the Board (if any) and further notification of your procedural rights and responsibilities.

You also have the right to be represented by legal counsel, at your own expense, during this administrative proceeding.

Copies of the Administrative Procedure Act and the Idaho Rules of the Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library.

All original official documents must be filed with the Board at the following address:

Idaho State Board of Nursing  
280 N. Eighth Street, Suite 210  
P.O. Box 83720  
Boise, ID 83720-0061  
telephone: (208) 334-3110  
facsimile: (208) 334-3262

A copy of the Answer and every pleading, motion or subsequent document filed with the Board must also be served upon legal counsel for the Board at the following address:

Cheri L. Bush  
Deputy Attorney General  
Civil Litigation Division  
P.O. Box 83720  
Boise, ID 83720-0010
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25TH day of AUGUST, 2004, I caused to be served a true and correct copy of the foregoing COMPLAINT addressed as follows:

Jared Thompson
733 Sunnyside Rd.
St. Helen's, CA 93570

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

Cheri L. Bush
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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance, Extra Charge Provided)

OFFICIAL USE

JARED THOMPSON
733 SUNNYSIDE RD
ST HELEN'S CA 93570

SENDING POSTAGE
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print)
J. Thompson

B. Date of Delivery
3-28-04

☐ Signature

C. Agent
☐ Address

D. Is delivery address different from item 1?
☐ Yes
☐ No

☐ Certified Mail
☐ Registered
☐ Insured
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.

☐ Restricted Delivery? (Extra Fee)
☐ Yes

1. Article Addressed to:

JARED THOMPSON
733 SUNNYSIDE RD
ST HELEN'S CA 93570

2. Article Number (Copy from service label)

3. Service Type
4. Restricted Delivery? (Extra Fee)

COMPLAINT - 5