

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2017-923

**VICKI LIN
2018 Camwood Ave
Rowland Heights, CA 91748**

Registered Nurse License No. 832090

Respondent

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Repeval is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **March 8, 2018.**

IT IS SO ORDERED **March 8, 2018.**



Trande Phillips, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 XAVIER BECERRA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 SHERONDA L. EDWARDS
Deputy Attorney General
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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13 **VICKI LIN**
2018 Camwood Ave.
Rowland Heights, CA 91748

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

14 Registered Nurse License No. 832090

[Bus. & Prof. Code § 495]

15 Respondent.
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17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Joseph L. Morris, PhD, MSN, RN (Complainant) is the Executive Officer of the
22 Board of Registered Nursing (Board). He brought this action solely in his official capacity and is
23 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
24 Sheronda L. Edwards, Deputy Attorney General.

25 2. Respondent Vicki Lin (Respondent) is represented in this proceeding by attorney
26 Janice C. Mendel, whose address is: Law Offices of Janice C. Mendel, 21900 Burbank Blvd., 3rd
27 Floor, Woodland Hills, CA 91367.

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1 JURISDICTION

2 3. On or about November 7, 2012, the Board issued Registered Nurse License No.
3 832090 to Vicki Lin (Respondent). The Registered Nurse License was in full force and effect at
4 all times relevant to the charges brought in Accusation No. 2017-923 and will expire on October
5 31, 2018, unless renewed.

6 4. Accusation No. 2017-923 was filed before the Board of Registered Nursing (Board),
7 Department of Consumer Affairs and is currently pending against Respondent. The Accusation
8 and all other statutorily required documents were properly served on Respondent on May 23,
9 2017. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
10 Accusation No. 2017-923 is attached as exhibit A and incorporated herein by reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. 2017-923. Respondent has also carefully read, fully
14 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
15 Order for Public Repeval.

16 6. Respondent is fully aware of her legal rights in this matter, including the right to a
17 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
18 her own expense; the right to confront and cross-examine the witnesses against her; the right to
19 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
20 compel the attendance of witnesses and the production of documents; the right to reconsideration
21 and court review of an adverse decision; and all other rights accorded by the California
22 Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
24 every right set forth above.

25 CULPABILITY

26 8. Respondent understands and agrees that the charges and allegations in Accusation
27 No. 2017-923, if proven at a hearing, constitute cause for imposing discipline upon her Registered
28 Nurse License.

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Registered Nurse License No. 832090 issued to
6 Respondent Vicki Lin (Respondent) shall be publicly reprovved by the Board of Registered
7 Nursing under Business and Professions Code section 495 in resolution of Accusation No. 2017-
8 923, attached as exhibit A.


9 **Cost Recovery.** Respondent shall pay \$6,847.44 to the Board for its costs associated with
10 the investigation and enforcement of this matter. Respondent shall be permitted to pay these
11 costs in a payment plan approved by the Board. If Respondent fails to pay the Board costs as
12 ordered, Respondent shall not be allowed to renew her Registered Nurse License until
13 Respondent pays costs in full.

14 **ACCEPTANCE**

15 I have carefully read the above Stipulated Settlement and Disciplinary Order for Public
16 Reapproval and have fully discussed it with my attorney, Janice C. Mendel. I understand the
17 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated
18 Settlement and Disciplinary Order for Public Reapproval voluntarily, knowingly, and intelligently,
19 and agree to be bound by the Decision and Order of the Board of Registered Nursing.

20
21 DATED: 12/12/17 
22 VICKI LIN
Respondent

23 I have read and fully discussed with Respondent Vicki Lin the terms and conditions and
24 other matters contained in the above Stipulated Settlement and Disciplinary Order for Public
25 Reapproval. I approve its form and content.

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27 DATED: Dec 15, 2017 
28 JANICE C. MENDEL
Attorney for Respondent

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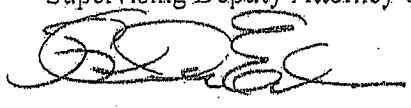
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reproval is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 12/18/17

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2017-923

1 XAVIER BECERRA
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2 ARMANDO ZAMBRANO
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9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

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Case No.

2017-923

12 **VICKI LIN**
2018 Camwood Ave.
13 Rowland Heights, CA 91748

A C C U S A T I O N

14 **Registered Nurse License No. 832090**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Joseph L. Morris, PhD, MSN, RN (Complainant) brings this Accusation solely in his
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about November 7, 2012, the Board of Registered Nursing issued Registered
23 Nurse License Number 832090 to Vicki Lin (Respondent). The Registered Nurse License was in
24 full force and effect at all times relevant to the charges brought herein and will expire on October
25 31, 2018, unless renewed.

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1 8. California Code of Regulations, title 16, section 1443.5 states:

2 "A registered nurse shall be considered to be competent when he/she consistently
3 demonstrates the ability to transfer scientific knowledge from social, biological and physical
4 sciences in applying the nursing process, as follows:

5 "(1) Formulates a nursing diagnosis through observation of the client's physical condition
6 and behavior, and through interpretation of information obtained from the client and others,
7 including the health team.

8 "(2) Formulates a care plan, in collaboration with the client, which ensures that direct and
9 indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and
10 for disease prevention and restorative measures.

11 "(3) Performs skills essential to the kind of nursing action to be taken, explains the health
12 treatment to the client and family and teaches the client and family how to care for the client's
13 health needs.

14 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
15 subordinates and on the preparation and capability needed in the tasks to be delegated, and
16 effectively supervises nursing care being given by subordinates.

17 "(5) Evaluates the effectiveness of the care plan through observation of the client's physical
18 condition and behavior, signs and symptoms of illness, and reactions to treatment and through
19 communication with the client and health team members, and modifies the plan as needed.

20 "(6) Acts as the client's advocate, as circumstances require, by initiating action to improve
21 health care or to change decisions or activities which are against the interests or wishes of the
22 client, and by giving the client the opportunity to make informed decisions about health care
23 before it is provided."

24 **COST RECOVERY**

25 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licentiate found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 **STATEMENT OF FACTS**

4 10. From August 5, 2013 through August 20, 2015, Respondent was employed as a
5 registered nurse in the Intensive Care Unit of Huntington Memorial Hospital in Pasadena, CA.
6 On October 12, 2015, the Board of Registered Nursing received a letter of complaint from
7 Huntington Memorial Hospital, alleging that Respondent obtained and used the identification and
8 password of another nurse in order to "make it appear as though [RN A.A.] had verified that the
9 insulin drip had been properly titrated by [Respondent]."

10 11. On July 16, 2013, Respondent signed a "Confidentiality, Computer Usage and
11 Accountability Agreement" (Confidentiality Agreement). In pertinent part, paragraph 5 of the
12 Agreement provides that Respondent "will not attempt to gain unauthorized access to any
13 information system or go beyond my authorized access. *This includes attempting to gain access*
14 *using another's user ID and password...."*

15 12. Huntington Memorial Hospital's Clinical Policy & Procedure provides, in pertinent
16 part, that insulin is designated as a "High Risk/High Alert Double Check Medication." It further
17 provides: "Double-checking of specific medications is required to reduce the risk of error. The
18 process of double-checking involves two RNs, RN and a pharmacist, or RN and a physician.
19 Subcutaneous insulin may be checked by an LVN."

20 13. The patients in the Coronary Care Unit are on certain IV medications, which must be
21 checked and monitored on a regular basis. Every hour on the hour, the Intensive Care Unit RN
22 must check the patient's blood sugar, and make calculations as to the patient's blood sugar value.
23 Then the RN calls a second RN to verify the calculations so that the correct dose of insulin is
24 administered. An incorrect dose could be fatal to the patient.

25 14. On July 13, 2015, RN T.G. handed off Patient 1 to Respondent for the evening shift.
26 On July 14, 2015, RN T.G. started her day shift with Patient 1 and found a piece of paper called
27 the "Off Bypass Call" sheet on the Computer on Wheels bearing the username and password of
28 RN A.A.

1 15. On July 14, 2015, RN T.G. reported the incident to the Critical Care Unit Manager
2 and the hospital's Compliance Hotline.

3 16. A review of Patient 1's medical record indicate entries by Respondent and reflect that
4 insulin was ordered and completed on July 13, 2015 at 19:10 hours, performed and verified by
5 Respondent at 20:00 hours. Then allegedly witnessed by RN A.A. at 20:00 hours.

6 17. On August 7, 2015, during a meeting with the Critical Care Unit Manager and Senior
7 Human Resources Business Partner, Respondent eventually admitted that RN A.A. did not
8 witness the drip for Patient 1. On August 7, 2015, Respondent was then suspended from work
9 pending further investigation regarding falsification of documentation, violations of the
10 Confidentiality Agreement, and failure to comply with the double-check process for
11 administering insulin.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct - Incompetence)**

14 18. Respondent is subject to disciplinary action under section 2761, subdivision (a)(1), as
15 defined in California Code of Regulations, title 16, sections 1443 and 1443.5(2), on the grounds
16 of incompetence in that Respondent breached the Confidentiality Agreement, violated hospital
17 policy by falsifying medical documentation and failing to comply with the double-check process
18 for administering insulin. Complainant refers to and incorporates all the facts and allegations
19 contained in Paragraphs 10 through 17, as though set forth fully.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Unprofessional Conduct - Violations of Nursing Practice Act)**

22 19. Respondent is subject to disciplinary action under section 2761, subdivisions (a) and
23 (d), as defined in California Code of Regulations, title 16, sections 1443 and 1443.5(2), for
24 general unprofessional conduct and/or violating or attempting to violate, any provision or term of
25 the Nursing Practice Act. Complainant refers to and incorporates all the facts and allegations
26 contained in Paragraphs 10 through 17, as though set forth fully.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 832090, issued to Vicki Lin;
2. Ordering Vicki Lin to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: May 23, 2017



JOSEPH L. MORRIS, PHD, MSN, RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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