



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or its of record in the offices of the Texas Board of Nursing.  
*Patricia A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of §  
Registered Nurse License Number 611708 §  
issued to IONA JEAN BARIN §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of IONA JEAN BARIN, Registered Nurse License Number 611708, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a professional nurse in the State of Texas is in Invalid status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Baccalaureate Degree in Nursing from Western Carolina University, Cullowhee, North Carolina, on May 1, 1993. Respondent was licensed to practice professional nursing in the State of Texas on December 19, 1994.
4. Respondent's nursing employment history includes:

09/1993-03/1995	Staff Nurse	William Beaumont Army Medical Ctr El Paso, Texas
03/1995-08/1999	Staff Nurse	El paso Independent School District El Paso, Texas

Respondent's nursing employment history continued:

08/1999-07/2001	Staff Nurse	VNA Healthcare Santa Ana, California
07/2001-01/2002	Staff Nurse	Veteran's Affairs Medical Ctr Asheville, North Carolina
02/2002-04/2002	Unknown	
05/2002-03/2005	Case Manager	CorVel Corporation San Bernadino, California
03/2005-12/2005	Staff Nurse	Banner PHO Mesa, Arizona
01/2006-09/2006	Director of Nursing	VNA Healthcare El Paso, Texas
09/2006-06/2008	Staff Nurse	El Paso Independent School District El Paso, Texas
07/2008-08/2008	Unknown	
08/2008-01/2009	Case Manager	CorVel Corporation Phoenix, Arizona
02/2009-05/2009	Staff Nurse	Western Medical Center Santa Ana, California
06/2009-07/2009	Unknown	
07/2009-08/2010	Clinical Supervisor	Kaiser Permanente Orange County, California
08/2010-06/2012	Case Manager	TriStar/Genex Services Southern California
07/2012-11/2012	Unknown	
12/2012-08/2013	Case Manager	Daybreak Community Services Temple, Texas

Respondent's nursing employment history continued:

09/2013-Unknown	Case Manager	Baylor Schott and White Memorial Hospital Temple, Texas
07/2014-04/2015	Director of Nursing	Central Counties Services Temple, Texas
05/2015-Present	Unknown	

5. On or about February 9, 2016, Respondent was issued the sanction of a WARNING WITH STIPULATIONS through an Agreed Order by the Board. A copy of the Finding of Fact, Conclusions of Law and Order dated February 9, 2016, is attached and incorporated herein by reference as part of this Order.
6. On or about September 29, 2016, Respondent's registered nursing license in the State of California was REVOKED under a Default Decision and Order by the Board of Registered Nursing, Department of Consumer Affairs, State of California. A copy of the Findings of Fact and Order dated September 29, 2016, is attached and incorporated herein by reference as part of this Order.
6. On or about February 10, 2017, Respondent failed to comply with the Agreed Order issued to her on February 9, 2016, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Number Three (III)(A), and (B), of the order which reads, in pertinent part:

**...within one (1) year of entry of this Order, unless otherwise specifically indicated:**

- (A). A course in Texas nursing jurisprudence and ethics that shall be a minimum of six (6) hours in length...
  - (B). The course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension...
7. On June 15, 2017, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated June 15, 2017, is attached and incorporated herein by reference as part of this Order.

### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 611708, heretofore issued to IONA JEAN BARIN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

### TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 611708, heretofore issued to IONA JEAN BARIN, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:


1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 15th day of June, 2017.

TEXAS BOARD OF NURSING

By:   
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

Date: Thu, 15 Jun 2017 08:45:26 -0700  
Subject: Voluntarily Surrender TX License  
Message-Id: <B8FE2570-11E4-4363-8B54-2675074238D2@yahoo.com>  
To: [mary.warrington@bon.tex.gov](mailto:mary.warrington@bon.tex.gov)  
X-Mailer: iPad Mail (14F89)

RE: Iona Jean Barin  
3400 S. Ironwood Dr. #31  
Apache Junction, AZ. 85120

I have retired, am disabled, and have no intentions on returning to TX to comply with this order. I am voluntarily surrendering my TX license. =20

Furthermore, I would advise that the Texas BON keep a close watch over the Central County Services in Temple Texas, where you have an individual making nursing decisions and pressuring nursing to pressure doctors to change their orders. Etc. Someone is going get hurt. I have had many years of satisfying and an excellent work history with no complaints, until I went to work for this lady, who does have a history of running off nurses. You do have a problem at Central County Services and does need to be watched for the safety of individuals they serve. =20

I do hope that this issue is resolved with the TX BON and that you will allow me to be retired in peace since I am surrendering my license. =20

Thank you,

Iona Barin=



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
 Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of	§	AGREED
Registered Nurse License Number 611708	§	
issued to IONA JEAN BARIN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of IONA JEAN BARIN, Registered Nurse License Number 611708, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on December 2, 2015.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in Texas Invalid status.
4. Respondent received a Baccalaureate Degree in Nursing from Western Carolina University, Cullowhee, North Carolina, on May 1, 1993. Respondent was licensed to practice professional nursing in the State of North Carolina on September 15, 1993, and was licensed to practice professional nursing in the State of Texas on December 19, 1994.
5. Respondent's nursing employment history includes:

9/1993 - 3/1995	Staff Nurse	William Beaumont Army Medical Center El Paso, Texas
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Respondent's nursing employment history continued:

3/1995 - 8/1999	Staff Nurse	El Paso Independent School District El Paso, Texas
8/1999 - 7/2001	Staff Nurse	VNA Healthcare Santa Ana, California
7/2001 - 1/2002	Staff Nurse	Veteran's Affairs Medical Center Asheville, North Carolina
2/2002 - 4/2002	Unknown	
5/2002 - 3/2005	Case Manager	CorVel Corporation San Bernadino, California
3/2005 - 12/2005	Staff Nurse	Banner PHO Mesa, Arizona
1/2006 - 9/2006	Director of Nursing	VNA Healthcare El Paso, Texas
9/2006 - 6/2008	Staff Nurse	El Paso Independent School District El Paso, Texas
7/2008 - 8/2008	Unknown	
8/2008 - 1/2009	Case Manager	CorVel Corporation Phoenix, Arizona
2/2009 - 5/2009	Staff Nurse	Western Medical Center Santa Ana, California
6/2009 - 7/2009	Unknown	
7/2009 - 8/2010	Clinical Supervisor	Kaiser Permanente Orange County, California
8/2010 - 6/2012	Case Manager	TriStar/Genex Services Southern California



Respondent's nursing employment history continued:

7/2012 - 11/2012	Unknown	
12/2012 - 8/2013	Case Manager	Daybreak Community Services Temple, Texas
9/2013 - Unknown	Case Manager	Baylor Scott and White Memorial Hospital Temple, Texas
7/1/2014 - 4/2015	Director of Nursing	Central Counties Services Temple, Texas
5/2015 - Present	Unknown	

6. At the time of the incident, Respondent was employed as the Director of Nursing with Central Counties Services, Temple, Texas, and had been in that position for nine (9) months.
7. On or about April 21, 2015, while employed as the Director of Nursing with Central Counties Services, Temple, Texas, Respondent failed to assess Consumer Number 513014 and notify the physician when unlicensed staff called to report that the consumer was experiencing respiratory distress despite having had four (4) scheduled Albuterol treatments administered. Instead, Respondent directed the unlicensed staff to administer additional Albuterol. Respondent's conduct was likely to injure the patient by depriving the physician of vital information that would be required to institute timely medical interventions to stabilize the patient's condition.
8. In response to the incidents in Finding of Fact Number Seven (7), Respondent states the Consumer had just moved into the group home and that during the week she made multiple visits to assess the consumer and was in contact with unlicensed staff to verify that staff understood discharge instructions from the ER, which included Albuterol treatments. Respondent states the consumer made a 2<sup>nd</sup> trip to the ER on April 21<sup>st</sup> and she assessed him and his discharge orders on April 22<sup>nd</sup>. Respondent states she dedicated many hours to this consumer over the course of that week and never refused to assess him for respiratory distress and that due to the distance, staff had been instructed to send him to the ER multiple times that week. In addition, Respondent states this employer had history of running through nurses and that there were too many non-nurses making nursing decisions at the expense of the individuals being served.

## CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(M),(1)(P)&(3)(A) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(D)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 611708, heretofore issued to IONA JEAN BARIN.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

## TERMS OF ORDER

### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

### **II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and

Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

### III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) within one (1) year of the effective date of this Order, unless otherwise specifically indicated:

- A. A Board-approved course in Texas nursing jurisprudence and ethics that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
- B. The course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

### IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a licensed healthcare setting, for a minimum

of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

**D. Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

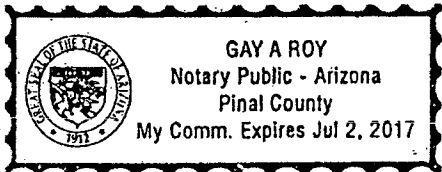
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 7 day of Jan, 20 16.

Iona Jean Barin  
IONA JEAN BARIN, Respondent

Sworn to and subscribed before me this 7<sup>th</sup> day of January, 20 16.

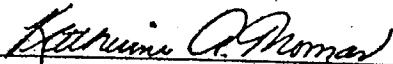
SEAL



Gay A Roy  
Notary Public in and for the State of Arizona

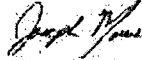
WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7th day of January, 2016, by IONA JEAN BARIN, Registered Nurse License Number 611708, and said Order is final.

Effective this 9th day of February, 2016.

  
\_\_\_\_\_  
Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING



Joseph L. Morris, PhD, MSN, RN  
Executive Officer



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

In the Matter of the Accusation Against:

**IONA JEAN BARIN  
15401 Williams Street, Space #11  
Tustin, CA 92780**

**Registered Nurse License No. 561740  
Public Health Nurse Certificate No. 66396**

**RESPONDENT**

Case No. 2016-1167

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about June 1, 2016, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2016-1167 against Iona Jean Barin (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about January 19, 2000, the Board of Registered Nursing (Board) issued Registered Nurse License No. 561740 to Respondent. The Registered Nurse License expired on January 31, 2014, and has not been renewed.

3. On or about May 7, 2003, the Board of Registered Nursing (Board) issued Public Health Nurse Certificate No. 66396 to Respondent. The Public Health Nurse Certificate expired on January 31, 2014, and has not been renewed.

4. On or about June 1, 2016, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2016-1167, Statement to Respondent, Notice of Defense, Request



1 for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's  
2 address of record which, pursuant to Business and Professions Code section 136 and/Title 16,  
3 California Code of Regulation, section 1409.1, is required to be reported and maintained with the  
4 Board, was and is:

5 15401 Williams Street, Space #11  
6 Tustin, CA 92780.

7 On or about June 1, 2016, Respondent was also served by Certified and First Class Mail  
8 copies of the Accusation No. 2016-1167, Statement to Respondent, Notice of Defense, Request  
9 for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's  
10 alternate addresses retrieved from LexisNexis as follows:

11 1475 S. 46<sup>th</sup> Ave. Apt. 254  
12 Yuma, AZ 85364.

13 And  
14 3400 S. Ironwood Dr. Lot 31  
15 Apache Junction, AZ 85120.

16 And  
17 729 Olaf Dr.  
18 Temple, TX 76504.

19 5. Service of the Accusation was effective as a matter of law under the provisions of  
20 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
21 124.

22 6. On or about June 17, 2016 and June 20, 2016, the Certified and First Class Mail  
23 documents addressed to Respondent's address of record sent through the U.S. Postal Service were  
24 returned bearing the indicia "Attempted – Not Known." On or about June 20, 2016, the Certified  
25 and First Class Mail documents addressed to 1475 S. 46<sup>th</sup> Ave. Apt 254, Yuma, AZ 85364, sent  
26 through the U.S. Postal Service were returned bearing the indicia "Return to Sender, Attempted –  
27 Not Known, Unable to Forward." On or about June 14, 2016, the Board of Registered Nursing  
28 received the Domestic Return Receipt signed by an individual named Dave Oxford,

1 acknowledging receipt of the Accusation served by Certified Mail to 3400 S. Ironwood Dr. Lot  
2 31, Apache Junction, AZ 85120. As of June 27, 2016, nothing was returned to the Board by the  
3 U. S. Postal Service for documents served to 729 Olaf Dr., Temple, TX 76504. USPS Tracking  
4 confirms that on or about June 4, 2016, a notice was left with no authorized recipient available  
5 and as of June 23, 2016, the documents were returned to the sender because they were not  
6 claimed by the addressee once the item reached its maximum hold time at the post office.

7 7. Business and Professions Code section 2764 states:

8 The lapsing or suspension of a license by operation of law or by order or decision of  
9 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive  
10 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
11 against such license, or to render a decision suspending or revoking such license.

12 8. Government Code section 11506 states, in pertinent part:

13 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
14 notice of defense, and the notice shall be deemed a specific denial of all parts of the Accusation  
15 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
16 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

17 9. Respondent failed to file a Notice of Defense within 15 days after service of the  
18 Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation No.  
19 2016-1167.

20 10. California Government Code section 11520 states, in pertinent part:

21 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
22 agency may take action based upon the respondent's express admissions or upon other evidence  
23 and affidavits may be used as evidence without any notice to respondent.

24 11. Pursuant to its authority under Government Code section 11520, the Board after  
25 having reviewed the proofs of service dated June 1, 2016, signed by Christian Espiritu, and the  
26 returned envelopes, finds Respondent is in default. The Board will take action without further  
27 hearing and, based on Accusation No. 2016-1167 and the documents contained in Default  
28 Decision Investigatory Evidence Packet in this matter which includes:

- 1 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 2016-
- 2 1167, Statement to Respondent, Notice of Defense (two blank copies),
- 3 Request for Discovery and Discovery Statutes (Government Code sections
- 4 11507.5, 11507.6 and 11507.7), proofs of service, mail receipts or copy of
- 5 returned mail envelopes and USPS Tracking Form;
- 6 Exhibit 2: License History Certification for Iona Jean Barin, Registered Nurse
- 7 License No. 561740 and Public Health Nurse Certificate No. 66396;
- 8 Exhibit 3: Out of State Discipline (Texas State Board of Nursing);
- 9 Exhibit 4: Proof of alternate addresses retrieved from LexisNexis.

10 The Board finds that the charges and allegations in Accusation No. 2016-1167 are separately and  
 11 severally true and correct by clear and convincing evidence.

12 DETERMINATION OF ISSUES

13 1. Based on the foregoing findings of fact, Respondent Iona Jean Barin has subjected  
 14 her following license(s) to discipline:

- 15 a. Registered Nurse License No. 561740
- 16 b. Public Health Nurse Certificate No. 66396

17 2. The agency has jurisdiction to adjudicate this case by default.

18 3. The Board of Registered Nursing is authorized to revoke Respondent's license(s)  
 19 based upon the following violations alleged in the Accusation, which are supported by the  
 20 evidence contained in the Default Decision Investigatory Evidence Packet in this case.

- 21 a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary  
 22 action by another State Board of Nursing.

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ORDER

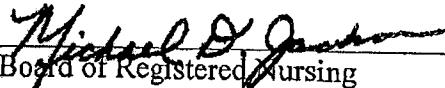
IT IS SO ORDERED that Registered Nurse License No. 561740, heretofore issued to Respondent Iona Jean Barin, is revoked.

IT IS SO ORDERED that Public Health Nurse Certificate No. 66396, heretofore issued to Respondent Iona Jean Barin, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on September 29, 2016.

It is so ORDERED August 30, 2016.

  
\_\_\_\_\_  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

Attachment:

Exhibit A: Accusation No. 2016-1167

# Exhibit A

Accusation No. 2016-1167

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 AGUSTIN LOPEZ  
Deputy Attorney General  
4 State Bar No. 218717  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2610  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 2016-1167

13 **IONA JEAN BARIN**  
14 **15401 Williams Street, Space #11**  
**Tustin, CA 92780**

**ACCUSATION**

15 **Registered Nurse License No. 561740**

16 **Public Health Nurse Certificate No. 66396**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
23 Department of Consumer Affairs.

24 2. On or about January 19, 2000, the Board issued Registered Nurse License Number  
25 561740 to Iona Jean Barin (Respondent). The Registered Nurse License expired on January 31,  
26 2014, and has not been renewed.



1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
3 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
4 included in a stipulated settlement.

5 **CAUSE FOR DISCIPLINE**

6 **(Out-of-State Discipline Against Respondent's Texas RN License)**

7 9. Respondent has subjected her license to disciplinary action under section 2761(a)(4)  
8 of the Code in that her Texas registered nurse license was disciplined by the Texas Board of  
9 Nursing. The circumstances are as follows:

10 10. Information received by the Texas Board produced evidence that Respondent may be  
11 subject to discipline under the Texas Occupations Code. Respondent waived notice and hearing  
12 and agreed to the entry of an Agreed Order.

13 11. Pursuant to its Findings of Fact in the Agreed Order, the Texas Board found that on  
14 April 21, 2015, while employed as the Director of Nursing with Central Counties Services in  
15 Temple, Texas, Respondent received notice from unlicensed staff that a group home resident was  
16 experiencing respiratory distress despite having four Albuterol treatments. Instead of notifying  
17 the physician, Respondent directed the staff to administer additional Albuterol.

18 12. The Texas Board concluded that the evidence was sufficient to prove violations of the  
19 Texas Administrative Code title 22, section 217.11, which governs standards of nursing practice  
20 and provides:

21 The Texas Board of Nursing is responsible for regulating the  
22 practice of nursing within the State of Texas for Vocational  
23 Nurses, Registered Nurses, and Registered Nurses with advanced  
24 practice authorization. The standards of practice establish a  
25 minimum acceptable level of nursing practice in any setting for  
26 each level of nursing licensure or advanced practice authorization.  
27 Failure to meet these standards may result in action against the  
28 nurse's license even if no actual patient injury resulted.

(1) Standards Applicable to All Nurses. All vocational  
nurses, registered nurses and registered nurses with advanced  
practice authorization shall:



1 (A) Know and conform to the Texas Nursing Practice Act and the  
2 board's rules and regulations as well as all federal, state, or local  
3 laws, rules or regulations affecting the nurse's current area of  
4 nursing practice;

5 (B) Implement measures to promote a safe environment for clients  
6 and others;

7 ...

8 (M) Institute appropriate nursing interventions that might be  
9 required to stabilize a client's condition and/or prevent  
10 complications;

11 ...

12 (P) Collaborate with the client, members of the health care team  
13 and, when appropriate, the client's significant other(s) in the  
14 interest of the client's health care;

15 ...

16 (3) Standards Specific to Registered Nurses. The registered  
17 nurse shall assist in the determination of healthcare needs of clients  
18 and shall:

19 (A) Utilize a systematic approach to provide individualized, goal-  
20 directed, nursing care by:

21 (i) performing comprehensive nursing assessments regarding the  
22 health status of the client;

23 (ii) making nursing diagnoses that serve as the basis for the  
24 strategy of care;

25 (iii) developing a plan of care based on the assessment and nursing  
26 diagnosis;

27 (iv) implementing nursing care; and

28 (v) evaluating the client's responses to nursing interventions;

13. Texas Administrative Code title 22, section 217.12 governs unprofessional conduct  
and provides as follows;

...

(1) Unsafe Practice—actions or conduct including, but not  
limited to:

1 (A) Carelessly failing, repeatedly failing, or exhibiting an inability  
2 to perform vocational, registered, or advanced practice nursing in  
3 conformity with the standards of minimum acceptable level of  
nursing practice set out in Rule 217.11.

4 (B) Carelessly or repeatedly failing to conform to generally  
accepted nursing standards in applicable practice settings;

5 (D) Delegating or assigning nursing functions or a prescribed  
6 health function when the delegation or assignment could  
reasonably be expected to result in unsafe or ineffective client care;

7 ...

8 (4) Careless or repetitive conduct that may endanger a  
9 client's life, health, or safety. Actual injury to a client need not be  
established.

10 14. Effective February 9, 2016, the Texas Board issued a Warning With Stipulations.  
11 Respondent was ordered to complete remedial courses in Texas nursing jurisprudence and  
12 "Sharpening Critical Thinking Skills" within one (1) year of the effective date of the Order.  
13 Respondent is required to work as a registered nurse providing direct patient care for a minimum  
14 of 64 hours per month for four quarters (one year). Respondent is required to comply with  
15 employer notifications, supervision requirements, and submission of nursing performance  
16 evaluations.

17 **PRAYER**

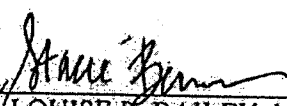
18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
19 and that following the hearing, the Board of Registered Nursing issue a decision:

- 20 1. Revoking or suspending Registered Nurse License Number 561740, issued to Iona  
21 Jean Barin;
- 22 2. Revoking or suspending Public Health Nurse Certificate Number 66396, issued to  
23 Iona Jean Barin;
- 24 3. Ordering Iona Jean Barin to pay the Board of Registered Nursing the reasonable costs  
25 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
26 section 125.3;
- 27 4. Taking such other and further action as deemed necessary and proper.

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DATED: June 01, 2016

*for*   
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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