

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of**

**Yvonne Mckinney, CNA**

)

) **FINAL ORDER OF REVOCATION**

) **BY DEFAULT**

)

)

**Certificate No. 000036396CNA**

) **Reference No. 13-00976**

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistants. Yvonne Mckinney (Certificate Holder) is a Certified Nursing Assistant in the state of Oregon.

This matter was considered by the Board at its meeting on March 20, 2013.

On February 26, 2013, a Notice stating that the Board intended to revoke the Nursing Assistant Certificate of Yvonne Mckinney was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder violated the terms and conditions of a Board Order.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (20) days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of its records and files related to this matter, the Board enters the following Order:

**-I-**

**FINDINGS OF FACT**

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

1. Certificate Holder was issued a Nursing Assistant Certificate in the state of Oregon on November 26, 1996.
2. On February 16, 2011, Certificate Holder was placed on probation with Oregon State Board of Nursing due to a history of chemical dependence.
3. Certificate Holder's urine drug testing account was placed on hold due to an overdue

balance. Due to this fact, Certificate Holder has not called the toxicology Inter-active Voice Response line since August 20, 2012. As a result, she has missed four urine drug tests.

4. Certificate Holder allowed her certificate to expire and has indicated that she cannot afford to renew her certificate. She has not been able to obtain employment as a CNA since beginning probation; therefore she has not met the required one year of supervised performance of CNA duties.

**-II-**

### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the Certificate Holder, Yvonne Mckinney, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of **ORS 678.442 (2) (f) and OAR 851-063-0090 (9) (d)**.
3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

**-III-**

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Nursing Assistant Certificate of Yvonne Mckinney is revoked.

DATED this \_\_\_\_ day of March, 2013

**FOR THE BOARD OF NURSING OF THE STATE OF OREGON**

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Kay Carnegie, RN, MS  
Board President

TO: YVONNE MCKINNEY:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within (sixty) 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of this Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a petition with the Oregon Court of Appeals for review within sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

**INCLUDE ONLY IF FOR REVOCATION:** If, after a minimum of three (3) years, you wish to reinstate your Nursing Assistant Certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE