

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
TERESA I. MCNEELEY, CNA) **REPRIMAND OF NURSING**
) **ASSISTANT CERTIFICATE**
)
Certificate No. 000021599CNA) **Reference No. 13-01154**

The Oregon State Board of Nursing, (Board) is the state agency responsible for the certification and regulation of certified nursing assistants (CNA) in the State of Oregon. Teresa Irene McNeeley (Certificate Holder) is a CNA in Oregon. The Board first issued her CNA certificate on September 1, 1992.

On May 18, 2012, while working the night shift at a nursing facility, McNeeley responded to a female resident's call to remove a male resident who had wandered in her room and who was drinking the female resident's water. The male resident suffered with dementia and frequently wandered through the facility in an ambulation device equipped with a seat and wheels to assist him in safe, independent mobility. McNeeley removed the male resident from the room by pushing him down the hall in his ambulation device in the same manner as if she was pushing him in a wheelchair.

During this move down the hall, the resident was calling out but McNeeley thought that he was just resisting being removed from the other resident's room. McNeeley failed to realize that the male resident was not fully sitting on the seat of the ambulation device but was slumped down with his peri-area resting on a narrow safety belt that ran between his legs to prevent a fall to the floor. Additionally, McNeeley did not notice that the male resident's feet were dragging underneath the ambulation device. The resident suffered friction burns to his toes on both feet and because he was resting on the safety belt his genitals became swollen.

The above conduct is a violation of the provisions of ORS 678.442(2)(f); 851-063-0080 (6); and 851-063-0090 (2)(e) which reads as follows:

678.442 Certification of nursing assistants; rules.

(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:

- (f) Conduct unbecoming a nursing assistant in the performance of duties.

851-063-0080

Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate

Under the contested case procedure in ORS 183-310 to 183.550 the board may deny, reprimand, suspend, place on probation or revoke the certificate to perform duties as a CNA for the following causes:

- (6) Conduct unbecoming a nursing assistant in the performance of duties.

851-063-0090

Conduct Unbecoming a Nursing Assistant

- (2) Conduct related to other federal or state statutes/rule violations:
 - (e) Neglecting a client. The definition of neglect includes but is not limited to unreasonably allowing a client to be in physical discomfort or be injured.

Certificate Holder admits her conduct constitutes violations as described above and wishes to cooperate with the Board in resolving the present disciplinary problems.

Certificate Holder understands that this Stipulated Order for Reprimand will be submitted to the Board for approval, and that it is subject to its confirmation.

Certificate Holder understands that, by entering into this Stipulated Order for Reprimand, she waives the right to an administrative hearing under ORS 183.310 to 183.550.

Certificate Holder understands that this Order is a document of public record.

THEREFORE, the following will be proposed to the Board and is agreed to by Certificate Holder:

The nursing assistant certification of Teresa Irene McNeeley will be reprimanded.

Certificate Holder, by her signature below, attests that she has read and understood this Stipulated Order for Reprimand, and declares that no promises, representations, duress, or coercion have been used to induce her to sign it.

Teresa I. McNeeley, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date