

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)
)
Barbara A. Snyder, CNA) **FINAL ORDER**
Certificate No. 000012932CNA)
)
) **Case No. 11C-042**
)

The Oregon State Board of Nursing (Board) is the state agency responsible for certifying, regulating and disciplining certain health care providers, including nursing assistants, in the State of Oregon. Barbara A. Snyder, CNA (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon.

This Matter was considered by the Board on February 16, 2011. Certificate Holder did not appear personally. The issue for the Board was whether to approve the Stipulation for Reprimand signed by Certificate Holder on January 22, 2011 and so dispense with this Matter pursuant to ORS 183.415(5).

Upon review of the Stipulation and the agency file in this Matter, the Board finds that reasonable factual and legal grounds exist to support approval of the Stipulation. It is hereby

ORDERED that the Stipulation signed by Certificate Holder on January 22, 2011 be approved and by this reference incorporated herein, and it is further

ORDERED that the Board adopt the Stipulation and that the Nursing Assistant Certificate of Barbara Snyder be reprimanded as set forth in the Stipulation.

DATED this _____ day of February 2011

Patricia Markesino, RN
Board President

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	
)	
Barbara A. Snyder, CNA)	STIPULATION FOR
Certificate No. 000012932CNA)	REPRIMAND WITH CONDITIONS
)	OF NURSING ASSISTANT CERTIFICATE
)	
)	Case No.: 11C-042

The Oregon State Board of Nursing, (Board) is the agency responsible for certifying and regulating Nursing Assistants in the State of Oregon. Barbara A. Snyder (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon. The Board issued Certificate Holder a Nursing Assistant certificate by examination on January 1, 1990.

On September 28, 2010, Certificate Holder was reported to the Board after failing to follow the plan of care by transferring a resident, AM, without another person to assist. AM's care plan instructed to transfer using the assistance of two people.

In the process of transferring the resident, Certificate Holder heard a popping sound, which she reported to her supervisor immediately. The resident was examined and found to have sustained a non-displaced fracture of the left tibial plateau.

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

ORS 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.

OAR 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. ORS 678.442(2) (f)

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

A CNA, regardless of job location, responsibilities, or use of the title "CNA," who, in the performance of nursing related duties, may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Conduct unbecoming a nursing assistant includes but is not limited to:

(6) Conduct related to achieving and maintaining clinical competency:

(a) Failing to competently perform the duties of a nursing assistant;

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

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

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

Certificate Holder understands that this Stipulation will become a public record at such time as the Board issues an order implementing it.

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

That the Nursing Assistant Certificate of Barbara A. Snyder be reprimanded and that Ms. Snyder complete a course of study on the subject of Transferring, Repositioning and Lifting Residents Safely. The course can be either continuing education at least 2 CEU's or academic course at least 1 day in length whereby Certificate Holder actually physically attends class. The course must be approved in advance by the Board and must be completed before May 1, 2011. Ms. Snyder shall provide proof of successful completion of the course (report, certificate of completion, transcripts etc). Ms. Snyder shall write a paper on the class at least 2 pages in length presenting an outline of the course and the information she has learned which can make a difference in her performance of duties. The paper must be completed before June 1, 2011.

Ms. Snyder understands that the conduct resulting in the violations of law described in this Stipulation are considered by the Board to be serious and if continued, constitutes a potential for danger to public's health, safety and well being.

Ms. Snyder understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her license, up to and including revocation of her Nursing Assistant certificate.

Ms. Snyder understands this Stipulation will be submitted to the Board of Nursing at their next meeting for approval and is subject to the Board's confirmation.

Ms. Snyder understands that by entering into the stipulated agreement, she waives the right to an administrative hearing.

Ms. Snyder has read this Stipulation and understands it completely.

Ms. Snyder understands that this Stipulation will become a matter of public record at such time as the Board issues a Final Order adopting it.

Dated this _____ day of _____, 2011

Barbara A. Snyder, CNA

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Marilyn L. Hudson, RN, MSN, CNS, FRE
Investigations Manager
Investigations Department