

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Regenia Wilson, CNA) **30 DAY SUSPENSION OF CERTIFICATE**
) **WITH CONDITIONS**
Certificate No. 200310886CNA) **Reference No. 11-03149**

Regenia Wilson (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on March 24, 2003.

On or about May 23, 2011, the Board received information that CNA was terminated from employment for failure to follow a patient's care plan and allegedly, she physically abused a resident when the resident resisted care.

During the course of the investigation, a second complaint was received that CNA was terminated from her new place of employment for verbal abuse toward a resident.

CNA's personnel file from the first employer indicated that she was terminated because she failed to follow a resident's care plan. CNA did not leave the resident alone for a few minutes when the resident resisted care, as was dictated by the care plan. CNA persisted in placing the resident in a shower chair after the resident spit, hit, and yelled at her. The Adult Protective Services investigation of this incident was inconclusive with regard to physical abuse.

CNA's personnel file at her new place of employment found that she was terminated for verbal abuse toward a resident. An Adult Protective Services investigation of the incident determined that CNA swore at the resident and refused to give the resident a drink, which he had requested and was allowed to have.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442 (2)(f); and OAR 851-063-0030 (6)(d); and OAR 851-063-0080 (6); and OAR 851-063-0090 (1) (c) and (2)(d) and (e) and (f) which read 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 851-063-0030 Authorized Duties and Standards for Certified Nursing Assistants

(6) Standards of Care for Certified Nursing Assistants. In the process of client care the CNA shall consistently:

(d) Follow the care plan as directed by the licensed nurse;

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:

(1) Conduct related to the client's safety and integrity:

(c) Failing to respect client rights and dignity regardless of social or economic status, personal attributes or nature of health problems or disability;

(2) Conduct related to other federal or state statutes/rule violations:

(d) Abusing a client. The definition of abuse includes but is not limited to intentionally causing physical harm or discomfort, striking a client, intimidating, threatening or harassing a client;

(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;

(f) Engaging in other unacceptable behavior or verbal abuse towards or in the presence of a client such as using derogatory names or gestures or profane language;

CNA wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CNA:

That the Certified Nursing Assistant certificate of Regenia Wilson be SUSPENDED for 30 days, commencing five business days from the date this Order is signed by the Oregon State Board of Nursing and that the following conditions be met prior to the end of her suspension period. Regenia Wilson will complete course work on Stress Management, and 3.0 hours of Anger Management, 2.0 hours on Communication with Cognitively Impaired Patients, and 2.0 hours on Managing Behavior. Ms. Wilson will submit certificates of completion for the above courses by the end of her Suspension period.

CNA understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

CNA 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 certificate, up to and including revocation of her certificate to practice as a Certified Nursing Assistant.

CNA understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

CNA understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540. CNA acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

CNA understands that this Order is a document of public record.

CNA has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Suspension.

Regenia Wilson, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date