

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Tyler Riekkola, CNA

)

) **FINAL ORDER OF REVOCATON**

) **BY DEFAULT**

)

)

Certificate No. 201112687CNA

) **Reference No. 15-00014**

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. Tyler Riekkola (Certificate Holder) was issued a Certified Nursing Assistant License/Certificate by the Board on October 13, 2011.

This matter was considered by the Board at its meeting on November 19, 2014.

On October 24, 2014, a Notice stating that the Board intended to Revoke the Certified Nursing Assistant certificate of Tyler Riekkola was sent to him via certified and first-class mail to his address of record. 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 Certified Nursing Assistant certificate in the state of Oregon on October 13, 2011.
2. On June 18, 2014, Certificate Holder tested positive for Methamphetamine, Morphine and 6-Acetylmorphine following a "for cause" urine drug screen after appearing visibly impaired in the workplace. On or about July 1, 2014, Certificate Holder was reported to the Board. The Board opened an investigation into the matter.
3. On July 2, 2014, Certificate Holder signed an Interim Order by Consent voluntarily removing himself from practice pending further Order by the Board.

4. Certificate Holder failed to comply with the Board's requests to provide medical, dental or substance abuse treatment records, or respond to the Board's correspondence in the matter.
5. On October 15, 2014, the Board voted to issue a Notice of Proposed Revocation of Certificate Holder's Nursing Assistant Certificate.
6. On October 24, 2014, the Board mailed a Notice of Proposed Revocation to Certificate Holder via certified and first class mail. The Notice granted Certificate Holder (20) days from the date of the mailing of the Notice to request a hearing. The Notice further designated the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Tyler Riekkola, and over the subject matter of this proceeding. That Certificate Holder's conduct is in violation of ORS 678.442(2) (c), (d) and (f) and OAR 851-063-0080 (3), (4) and (6) and OAR 851-063-0090 (2) (h), (7) (a) and (9)(a)(c).
2. 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 Certified Nursing Assistant License/certificate of Tyler Riekkola is Revoked.

DATED this _____ day of November, 2014

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

TO: TYLER RIEKKOLA:

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 Certified Nursing Assistant License/certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILED IN BOARD OFFICE