

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Heather M. Williams, CNA

FINAL ORDER

Certificate No. 200611662CNA

Reference No. 12-00270

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. Heather M. Williams, CNA (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon.

This Matter was considered by the Board on November 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 October 10, 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 October 10, 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 Heather M. Williams be reprimanded as set forth in the Stipulation.

DATED this _____ day of November, 2011

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Patricia Markesino, RN
Board President

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATION FOR**
Heather M. Williams, CNA) **REPRIMAND**
)
Certificate No. 200611662CNA) **Reference No. 12-00270**

The Oregon State Board of Nursing, (Board) is the agency responsible for certifying and regulating Nursing Assistants in the State of Oregon. Heather M. Williams (Certificate Holder) is a Certified Nursing Assistant (CNA) in the State of Oregon. The Board issued Certificate Holder a Nursing Assistant certificate on August 4, 2006.

Certificate Holder was employed as a Certified Nursing Assistant at a skilled nursing facility in Coos Bay, Oregon from August 23, 2006 until she was terminated on May 5, 2011. It was reported to the Board that on April 28, 2011, Certificate Holder failed to follow a resident's plan of care, by transferring the resident, from her chair to her bed, without using a gait belt.

Witnesses reported seeing Certificate Holder place her arms under the resident's arms and lift resident from her chair and place her in her bed. The day following this transfer, the resident had a large bruise in the area of her left breast.

Certificate Holder was suspended while an internal investigation took place and was later terminated when it was determined she had failed to follow the resident's careplan. Certificate Holder met with Board staff on September 12, 2011. She admitted to her misconduct and expressed great remorse for having injured the resident.

Certificate Holder acknowledged that by her behavior she unintentionally caused harm to the resident and that this is a violation of the provisions of ORS 678.442 (2) (f); and OAR 851-063-0080 (6); and OAR 851-063-0090 (2) (e) and (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:

(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.
- (6) Conduct related to achieving and maintaining clinical competency:
 - (a) Failing to competently perform the duties of a nursing assistant.

Certificate Holder acknowledges her misconduct and wishes to cooperate with the Board in resolving the present disciplinary problems.

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

That the Nursing Assistant Certificate of Heather M. Williams be reprimanded.

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

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

Ms. Williams 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.

Heather M. Williams, CNA

FOR THE OREGON STATE BOARD OF NURSING

Marilyn Hudson RN, MSN, CNS, FRE
Investigation Manager

Suzanne Meadows
Investigator

Investigation Department

Investigation Department

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