

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Monica Lohman, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 201110426CNA) **Reference No. 13-00813**

Monica Lohman (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on February 10, 2011.

Certificate Holder came to the attention of the Board when it received a complaint alleging that CNA had failed to follow a care plan resulting in patient harm. The Board opened an investigation into the matter.

Resident MH was a 97 year old female who was originally living in an assisted living facility. She had recently fallen at her facility and was hospitalized with a diagnosis of closed fracture of the pelvis. She was admitted to the skilled unit at CNA's facility for post-operative rehabilitation. Her care plan indicated that she was a two person assist transfer.

CNA said she was assisting MH to the bedside commode. CNA said she attached the gait belt around the patient and asked MH to stand, which MH did with ease. During the pivot transfer MH became nervous and grabbed on to the rail of the bed and CNA's arm. CNA said she guided MH to the toilet and as they turned MH's arm made a cracking sound. MH was sent to the hospital for further evaluation and x-rays. It was determined that MH had suffered a humeral fracture. During a personal interview with Board staff, CNA admitted that she failed to follow the care plan.

The above conduct is a violation of the provisions of **OAR 851-063-0080 (6) and OAR 851-063-0090 (2) (d) and (6) (a).**

**Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate
OAR 851-063-0080**

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).

**Conduct Unbecoming a Nursing Assistant
OAR 851-063-0090**

A CNA, regardless of job location, responsibilities, or use of 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 statute/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.

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

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

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 Monica Lohman be reprimanded.

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 Reprimand.

Monica Lohman, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE