

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of)
Angela Lehrman, CNA)
)
)
)
Certificate No. 201010669CNA)

FINAL ORDER

Reference No. 11-01010

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, in the State of Oregon. Angela Lehrman is a Certified Nursing Assistant (Certificate Holder) in the State of Oregon and has been since March 25, 2010.

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 of Nursing Assistant Certificate signed by Certificate Holder on October 2, 2010 and so dispense with this Matter pursuant to ORS 183.417(3).

Upon review of the Stipulation for Reprimand and the agency file in this Matter, the Board finds that reasonable factual and legal grounds exist to support approval of the Stipulation for a reprimand.

It is hereby **ORDERED** that the Stipulation for Reprimand of Nursing Assistant Certificate signed by Certificate Holder on October 2, 2010 be approved, and by this reference, adopted and incorporated herein.

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)	
)	
Angela M Lehrman, CNA)	STIPULATION FOR REPRIMAND
Certificate No: 201010669CNA)	OF NURSING ASSISTANT CERTIFICATE
)	Case No. 11C-010

Angela M Lehrman, hereinafter referred to as "Certificate Holder," was certified by examination on March 25, 2010. Certificate Holder has worked in a long term care facility.

Certificate Holder came to the attention of the Board on July 23, 2010, for patient abandonment. Certificate Holder was hired at Avamere Newport Rehabilitation on April 23, 2010. She was scheduled to work 6:00 am to 3:00 pm on July 14, 2010. Certificate Holder was assigned 7 residents that day. At 9:30 am, Certificate Holder clocked out and left the facility. The charge nurse attempted to stop certificate holder from leaving.

Certificate Holder exited the facility but did call the charge nurse back to tell her that she could not handle the job and felt that she needed to quit. During a personal interview on September 29, 2010, Certificate Holder said that the facility was short staffed and she had been working hard from the time she started work. She said that she did not get any breaks and felt overwhelmed. Certificate Holder said that she was "burnt out" and could not handle the work load. Certificate Holder stated that she was not able to help all the residents that were assigned to her. Certificate Holder said that at that time leaving the facility seemed her only option.

Certificate Holder said that she knows she made a mistake. She said she should have ensured adequate coverage and should have waited for a replacement.

The above conduct is a violation of the provisions of ORS 678.442 (2) (f), OAR 851-063-0080 (6) and OAR 851-063-0090 (1) (a) and (2) (e) which reads as follows:

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.

Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate

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 851-063-0090

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:

(a) Leaving a nursing assistant assignment without properly notifying appropriate supervisory personnel.

(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 the client to be in physical discomfort or be injured.

Certificate Holder 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 Certificate Holder be reprimanded with as follows:

Certificate Holder understands that the conduct resulting in the violations of law described in this Stipulation are considered by the Board to be serious in nature.

Certificate Holder 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 nursing assistant certificate.

Certificate Holder understands this Stipulation will be submitted to the Board of Nursing at their next meeting, November 17, 2010 for approval and is subject to the

Board's adoption and confirmation. Certificate Holder understands that if approved, the Board will issue a Final Order adopting this Stipulation.

Certificate Holder understands that, by entering into this Stipulation, she waives any and all rights to notice and an administrative hearing under ORS 183.310 to 183.550, and to appeal or otherwise challenge this Stipulation or the Final Order adopting it.

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

Certificate Holder states no promises, representations, duress or coercion have been used to induce her to sign this Stipulation.

Certificate Holder has fully read this Stipulation and understands it completely.

Dated this _____ day of October, 2010

Angela M Lehrman, CNA

OREGON STATE BOARD OF NURSING

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

Date

Nisha Sexton, RN, MN
Nurse Investigator
Investigations Department

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE