

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Valerie Michaels**

)
) **FINAL ORDER OF DENIAL**
) **OF NURSING ASSISTANT**
) **CERTIFICATION BY DEFAULT**
)
) **Reference No. 15-00445**

Certificate No. 200511651CNA

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. Valerie Michaels (Applicant) applied for renewal of her certification as a Certified Nursing Assistant in the State of Oregon on or about September 23, 2014.

This matter was considered by the Board at its meeting on May 13, 2015.

On February 20, 2015, a Notice stating that the Board intended to deny the application for Certified Nursing Assistant certification was sent to Applicant via certified and first-class mail to her address of record. The Notice alleged that Applicant failed to answer disclosure questions asked by the Board truthfully and failed to cooperate with the Board's investigation.

The Notice granted Applicant an opportunity for hearing if requested within sixty (60) 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. Applicant was issued a Certified Nursing Assistant certificate in the state of Oregon on July 21, 2005. Applicant's Certified Nursing Assistant certificate expired on August 14, 2014.
2. On or about September 23, 2014, Applicant applied for renewal of her Certified Nursing Assistant certification and failed to answer disclosure questions asked by the Board truthfully.

3. Between October 1, 2014, and November 21, 2014, Applicant repeatedly failed to respond to the Board's request for further information, therefore failing to cooperate with the Board's investigation.
4. On February 20, 2015, Board staff mailed a Notice of Proposed Denial of Nursing Assistant Certification to Applicant via first-class and certified mail. The Notice granted Applicant sixty (60) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Applicant, Valerie Michaels, and over the subject matter of this proceeding.
2. That Applicant's conduct is in violation of ORS 678.442(2)(b)(d) and OAR 851-062-0030(2)(4)(5), OAR 851-063-0080(4)(6), and OAR 851-063-0090(9)(a)(b)(c).
3. That Applicant defaulted on the Notice by not requesting a hearing within the allotted sixty (60) 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 application for Certified Nursing Assistant certificate of Valerie Michaels is denied.

DATED this ____ day of May, 2015

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Gary Hickmann, RN
Board President

TO: VALERIE MICHAELS:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE