

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)
)
) **Reference No. 14-00888**

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. Erick Murillo Camacho (Certificate Holder) was issued a nursing assistant certificate by the Board on November 03, 2010.

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

On February 25, 2014, a Notice stating that the Board intended to revoke the Nursing Assistant Certificate of Erick Murillo Camacho was sent to him via certified and first-class mail to his address of record. The Notice alleged that Certificate Holder violated the terms and conditions of a Board order.

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 Nursing Assistant Certificate in the state of Oregon on November 03, 2010.
2. On October 17, 2012, the Oregon State Board of Nursing placed Certificate Holder on 24 months of probation for a June 16, 2007 Driving Under the Influence (DUII) arrest, a June 17, 2011 arrest for Failure to Perform the Duties of a Driver, and a December 2, 2011 DUII and Reckless Driving arrest. Certificate Holder agreed to comply with the terms and conditions of his probationary agreement which includes abstaining from the use of intoxicating, mind altering, or potentially addictive drugs and alcohol during his

probationary period. Certificate Holder was required to check in daily with Phamatech Labs; submit to random, monthly drug screens and provide written proof of attendance of AA meetings. Also required was a monthly check in with his probation monitor.

3. On July 24, 2013, Certificate Holder submitted a UA which came back positive for Marijuana.
4. Certificate Holder has missed months of call-ins to Phamatech Labs. His last UA was taken on October 17, 2013, and he has missed numerous scheduled urinalyses since that time.
5. On February 25, 2014, Board staff mailed a Notice of Proposed Revocation to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) 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 Certificate Holder, Erick Murillo Camacho, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678-442 (2) (c) (f) and OAR 851-063-0090 (9) (d).
3. 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 Nursing Assistant Certificate of Erick Murillo Camacho is Revoked.

DATED this ____ day of March, 2014

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

TO: ERICK MURILLO CAMACHO:

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 Nursing Assistant Certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE