

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	STIPULATION FOR
)	PROBATION
Campion Kuhio Journot, CNA)	
)	
Certificate No.: 200211136CNA)	Case No: 09C-241

Campion Kuhio Journot (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon. He obtained certification through examination on May 2, 2002.

On April 17, 2009, Mr. Journot was reported to the Board after his April 10, 2009, arrest for Driving under the Influence of Intoxicants (Marijuana).

On May 7, 2009, Mr. Journot was arraigned in Coos County Circuit Court on one count of Possession of Less Than an Ounce of Marijuana. On August 18, 2009, he pleaded guilty to that charge and was convicted by the court.

On August 25, 2009, Mr. Journot was arraigned in Coos County Circuit Court on one count of Driving under the Influence. On October 13, 2009, Mr. Journot was allowed to enter diversion on that charge.

On September 22, 2009, Mr. Campion met with Board staff by phone. He acknowledged he had used marijuana approximately 2 hours before the traffic stop and he was not feeling the effects of the drug at the time he was stopped. He stated that he was not scheduled to work that day and there was no alcohol use involved.

On October 12, 2010, Mr. Journot successfully completed his diversion program with the court and the charge was dismissed.

On February 2, 2011, Mr. Journot obtained a chemical dependency evaluation and was diagnosed with Cannabis Dependence.

By the above actions, Mr. Journot is subject to discipline pursuant to violations of ORS 678.442 (2) (c) (f) and OAR 851-063-0090 (7) (a).

ORS 678.442

(2) In the manner prescribed in ORS 183.310-183.550, the Board may revoke or suspend a

certificate issued under this section or may reprimand a nursing assistant for the following reasons:

- (c) Use of any controlled substance or intoxicating liquor to an extent or in a manner dangerous or injurious to the certificate holder or others or to an extent that such use impairs the ability to conduct safely the duties as a nursing assistant.
- (f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 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:

- (7) Conduct related to impaired function:
 - (a) Using intoxicants, prescription, over the counter or controlled drugs to an extent or in a manner injurious to the nursing assistant or others or to the extent that such use impairs the ability to conduct safely the duties of a nursing assistant.

Mr. Journot admits that the above allegations occurred and constitute violation of the Nurse Practice Act. He wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Oregon State Board of Nursing and is agreed to by Mr. Journot:

That Campion Kuhio Journot be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Agreement. That Campion Kuhio Journot, in his performance of duties as a Certified Nursing Assistant, will be placed on probation for a two-year period of time. Probation will be contingent on performing the duties at the level of a Certified Nursing Assistant. Mr. Journot must practice a minimum of 80 hours each month of probation in a setting where he is able to exercise the full extent of scope of duties in order to demonstrate whether or not he is competent.

Mr. Journot must comply with the following terms and conditions of probation:

1. He shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
2. Probation shall be for a period of twenty-four (24) months. For the purposes of this Stipulation for Probation, the term “month,” as used in this subsection, means a calendar month in which Mr. Journot practices as a certified nursing assistant in Oregon a minimum of eighty (80) paid hours. Probation must be completed in thirty-six (36) months.
3. He shall notify the Board, in writing, prior to any change of address or employment setting, during the probation period.

4. He will not look for, accept, or begin a new CNA position without the approval of the Board. This includes changes of the employer itself or changes within the facility or institution.
5. He shall notify the Board of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
6. He shall present himself, in person, to designated Board staff for interviews on a monthly basis during the probationary period. Frequency of contact may be reviewed and may be revised periodically at the discretion of Board staff. A telephone interview may be substituted for a personal interview at the discretion of Board staff.
7. He shall inform current and prospective employers of the probationary status of his certificate, the reasons for his probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Mr. Journot's probationary status.
8. The Nurse Executive will receive copies of the Stipulation for Probation and Board Order when Mr. Journot is employed.
9. He shall work under the direct supervision of a licensed nurse. He shall be employed in a setting where his nursing supervisor agrees to submit written evaluations of work performance (on forms provided by the Board) at least every three- (3) months during the probationary period. Between regular reporting periods, the Nurse Executive or comparable person, shall inform the Board of any instance of Mr. Journot's non-compliance with the terms and conditions of this Stipulation for Probation, or of any other concern there may be regarding Mr. Journot's work-related conduct or personal behavior that may affect his ability to perform the duties of a CNA.
10. He shall not be employed by a temporary staffing agency during the probationary period unless that agency can provide written evidence to the Board that Mr. Journot will not be assigned to multiple facilities.
11. He shall participate in the Board's random urine program. Failure to comply with the random urine program will result in an immediate removal from the performance of nursing assistant duties. He will obtain a re-evaluation by a Board approved chemical dependence evaluator. The presence of unauthorized substances may be considered a violation of the terms and conditions of this stipulation. He understands that she will be financially responsible for the costs related to this testing.
12. He shall abstain from the use of intoxicating, mind altering, or potentially addictive drugs, both over the counter and prescription drugs and alcohol during the period of probation.
13. He may take medication for a documented medical condition, provided that he obtains

such medication only by a legal prescription written by a person authorized by law to write such a prescription. He will notify the Board within 72 hours in the event he is prescribed such medication, and shall authorize the prescribing person to communicate with the Board about his medical condition. He shall produce the medical records pertaining to the medical condition and medication use.

14. He will notify any health care providers of the nature of his chemical dependence diagnosis, to ensure that his health history is complete, before receiving any treatment, including medical and dental treatment. He will provide a copy of this Stipulation to his provider. He further agrees to provide the Board with the names of his health care providers, to sign releases of information with the providers, and produce to the Board documentation of the health care provided (medical records).
15. He shall submit to tests to determine the presence of unauthorized substances, immediately upon request by the Board staff or his employer. The presence of unauthorized substances may be considered a violation of terms and conditions of this stipulation. He shall sign any release of information necessary to insure the Board will receive the results of such testing.
16. He shall cease the performance of duties as a CNA upon the occurrence of a relapse or at the request of the probation coordinator because of relapse or relapse behavior. Performance of duties may resume when approved by the probation coordinator, in consultation with his employer.
17. He is financially responsible for any costs incurred as a result of compliance with the terms and conditions of the stipulation.
18. He shall cooperate fully with the Board in the supervision and investigation of his compliance with the terms and conditions of this Stipulation.

Mr. Journot understands that the conduct resulting in the violations of law, described in this Stipulation are considered by the Board to be of a grave nature and if continued, constitutes a serious danger to public health and safety.

Mr. Journot also understands that in the event he engages in future conduct resulting in violations of the law or terms of probation the Board may make further disciplinary action against his certificate, up to and including revocation of his certificate to perform duties as a nursing assistant.

Mr. Journot understands that the Stipulation will be submitted to the Board of Nursing for approval and is subject to the Board's confirmation.

Mr. Journot understands that by entering into the Stipulated Agreement, he waives the right to an administrative hearing.

Mr. Journot states no promises, representation, duress, or coercion has been used to induce his to sign the Stipulation.

Mr. Journot understands that this Stipulated Agreement is a public record.

Mr. Journot has read this Stipulation, understands the Stipulation completely, and freely signs the Stipulation.

Dated this _____ day of _____, 2011.

Campion Kuhio Journot, CNA

FOR THE OREGON STATE BOARD OF NURSING

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