

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Tammy Jackson, CNA

)

) **FINAL ORDER OF REVOCATION**

) **BY DEFAULT**

)

)

Certificate No. 200810271CNA

) **Reference No. 16-00456**

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. Tammy Jackson (CNA) was issued a Nursing Assistant Certificate by the Board on February 4, 2008.

This matter was considered by the Board at its meeting on July 13, 2016.

On June 20, 2016, a Notice stating that the Board intended to revoke the Nursing Assistant certificate of Tammy Jackson was sent to her via certified and first-class mail to her address of record. The Notice alleged that CNA failed to disclose an arrest and diagnosis of a mental condition in her nursing assistant renewal application.

The Notice granted CNA 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. CNA was issued a Nursing Assistant certificate in the state of Oregon on February 4, 2008.
2. On or about September 3, 2015, CNA failed to disclose in her nursing assistant renewal application that she was arrested for Criminal Trespassing on April 24, 2014.
3. On or about September 3, 2015, CNA failed to disclose in her nursing assistant renewal application that she was diagnosed with a mental condition on September 28, 2013 that could impair her ability to perform nursing assistant duties with reasonable skill and

safety.

4. On or about January 12, 2016, CNA failed to appear for her scheduled interview to discuss the allegations.
5. On or about May 5, 2016, CNA failed to appear for her scheduled interview to discuss the allegations.
6. On June 20, 2016, Board staff mailed a Notice of Proposed Revocation to CNA via first-class and certified mail. The Notice granted CNA 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 CNA, Tammy Jackson, and over the subject matter of this proceeding.
2. That CNA's conduct is in violation of ORS 678.442(2)(b)(f), OAR 851-063-0080(2), (5) and OAR 851-063-0090(7)(a)(B) and (10)(a)(b).
3. That CNA 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 Tammy Jackson is REVOKED.

DATED this ____ day of July, 2016

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Bonnie Kostelecky, MS, MPA, RN
Board President

TO: TAMMY JACKSON:

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.

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