

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)

In the Matter of) **FINAL ORDER OF REVOCATION**
Bonnie Sheller, CNA) **BY DEFAULT**
)
Certificate No. 201010049CNA) **Reference No. 11-01132**

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. Bonnie Sheller (Certificate Holder) is a Certified Nursing Assistant in the state of Oregon.

This matter was considered by the Board at a regularly scheduled meeting in Portland, Oregon on January 16, 2013. Certificate Holder did not appear personally.

On November 22, 2012, a Notice stating that the Board intended to revoke the Nursing Assistant Certificate of Bonnie Sheller was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder failed to fully disclose her arrest history, failed to disclose her history of substance abuse and failed to cooperate with the Board's investigation.

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:

- 1.1 Certificate Holder was issued a Nursing Assistant Certificate by endorsement in the state of Oregon on January 7, 2010.
- 1.2 On or about December, 28, 2010, it was discovered that Certificate Holder failed to disclose her full arrest history upon application to the Board.

- 1.3 On February 7, 2011, Certificate Holder disclosed a 2009 hospitalization for mental health and substance abuse. Her diagnoses included Major Depressive Disorder, recurrent, severe with psychotic features, Cannabis Abuse and Alcohol Dependence. Certificate Holder was arrested for possession of marijuana after this hospitalization. Certificate Holder stated that she did not remember being arrested in 2009, and admitted that her use of alcohol during that time had led to her experiencing blackouts.
- 1.4 On May 15, 2011, Board staff requested that Certificate Holder obtain a current chemical dependence and mental health evaluation. On June 17, 2011, Certificate Holder notified Board staff that she was unable to obtain the requested evaluation for financial reasons. She was asked to make arrangements for another appointment. Certificate Holder has failed to respond to Board staff's requests for additional information. On November 14, 2012, the Board issued a Final Order of Suspension of her CNA certificate for failing to cooperate with a Board investigation and voted to issue a Notice of Proposed Revocation of her CNA certificate.
- 1.5 On November 22, 2012, 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

- 2.1 That the Board has jurisdiction over the Certificate Holder, Bonnie Sheller, and over the subject matter of this proceeding.
- 2.2 That Certificate Holder's conduct is in violation of ORS 678.442 (2)(c)(f); 851-063-0080 (6); and 851-063-0090 (9)(a) and (c).
- 2.3 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 Bonnie Sheller is REVOKED.

DATED this _____ day of January, 2013

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

TO: BONNIE SHELLER:

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.