

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Tammy Webb, CNA** ) **VOLUNTARY SURRENDER OF**  
 ) **NURSING ASSISTANT CERTIFICATE**  
 )  
**Certificate No. 200512957CNA** ) **Reference No. 15-01448**

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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 Webb (CNA) was issued a Nursing Assistant certificate by the Board on December 28, 2005.

On or about March 28, 2015, CNA transferred a client on to a toilet in violation of the client's care plan. When the client shortly thereafter complained of pain, CNA believed, at least briefly, that the client may have been injured during the transfer; however, she failed to communicate that specific information to the supervising nurse. On or about March 30, 2015, x-rays revealed an injury to the client and, as a result, investigations of possible mistreatment of the client were begun. While CNA was part of those investigations, she failed to subsequently disclose that fact to the Board on her renewal application as required.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(d) and (f) and OAR 851-063-0080(4) and (6) and OAR 851-063-0090(2)(a) and (3)(b) and (d) and (4)(f) and (10)(b) which provide as follows:

**ORS 678.442 Certification of nursing assistants; rules.**

(2) In the manner prescribed in ORS chapter 183, the board may revoke or suspend a certificate issued under this section or may reprimand a nursing assistant for the following reasons:

(d) Violation of any provisions of ORS 678.010 to 678.445 or rules adopted thereunder.

(f) Conduct unbecoming a nursing assistant in the performance of duties.

**OAR 851-063-0080 Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate**

Under the contested case procedure in ORS 183.310 to 183.550 the Board may impose a range of disciplinary sanctions including, but not limited to deny, reprimand, suspend, place on probation or revoke the certificate to perform duties as a CNA for the following causes:

- (4) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder;
- (6) Conduct unbecoming a nursing assistant.

### **OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant**

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

- (2) Conduct related to achieving and maintaining clinical competency:
  - (a) Failing to conform to the essential standards of acceptable and prevailing nursing assistant performance of duties. Actual injury need not be established;
- (3) Conduct related to client safety and integrity:
  - (b) Failing to implement the plan of care developed by the registered nurse;
  - (d) Jeopardizing the safety of a person under the CNA's care;
- (4) Conduct related to communication:
  - (f) Failing to communicate information regarding a person's status to the supervising nurse or other appropriate member of the healthcare team in an on-going and timely manner and as appropriate to the context of care
- (10) Conduct related to the certification holder's relationship with the Board:
  - (b) Failing to answer truthfully and completely any question asked by the Board on an application for certification, renewal of certification, during the course of an investigation, or any other question asked by the Board.

CNA admits that the above allegations occurred and constitute violations of the Nurse Practice Act. CNA wishes to cooperate with the Board in this matter and voluntarily surrender her Nursing Assistant certificate.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CNA:

**That the voluntary surrender of the Nursing Assistant certificate of Tammy Webb be accepted. If, after a minimum of three years, Ms. Webb wishes to reinstate her Nursing Assistant certificate, she may submit an application to the Board to request**

**reinstatement.**

CNA agrees that she will not practice as a Certified Nursing Assistant from the date she signs this Stipulated Order.

CNA understands that this Stipulated Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

CNA understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. CNA acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Stipulated Order.

CNA understands that this Stipulated Order is a document of public record.

CNA has read this Stipulated Order, understands this Stipulated Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

\_\_\_\_\_  
Tammy Webb, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

\_\_\_\_\_  
Gary Hickmann, RN  
Board President

\_\_\_\_\_  
Date