

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Jessica Mosbrucker, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 000035399CNA) **Reference No. 13-01137**

Jessica Mosbrucker (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on August 6, 1996.

In December 2012, the Board received information that CNA had a substantiated allegation of patient abuse while working at the Oregon State Hospital.

It was alleged that, on or about October 27, 2012, CNA attempted to wake a patient by grabbing the patient's nose and wiggling it. The patient reported this caused her pain and caused the patient's nose to bleed. Additional evidence, in the form of witness statements from other staff, supported GC's description of the incident.

In investigative interviews, CNA denied grabbing and wiggling the patient's nose. CNA stated she would never intentionally harm a patient. CNA stated, while CNA was providing care to the patient, the patient accused CNA of causing her nose to bleed, and CNA observed a small amount of blood on the patient's finger. CNA did not document the incident in the patient's medical record.

CNA neither admits nor denies the allegations, but acknowledges the Board's evidence establishes the violations of the Nurse Practice Act listed below. CNA wishes to cooperate with the Board and resolve this matter with a stipulated agreement.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(6)(a), 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:
- (f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

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:

- (6) Conduct related to achieving and maintaining clinical competency:
- (a) Failing to competently perform the duties of a nursing assistant.

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

That the Certified Nursing Assistant certificate of Jessica Mosbrucker be reprimanded.

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

CNA understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against her certificate, up to and including revocation of her certificate to practice as a Certified Nursing Assistant.

CNA understands that this 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. CNA acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

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

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

IT IS SO AGREED:

Jessica Mosbrucker, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date