

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Ola Taiwo, CNA) **REPRIMAND**
)
Certificate No. 200810382CNA) **Reference No. 12-01871**

The Oregon State Board of Nursing (Board) is the state agency responsible for the certification and regulation of Certified Nursing Assistants in the state of Oregon.

Ola Taiwo, hereinafter referred to as Certificate Holder, is a Certified Nursing Assistant (CNA) in Oregon. Certificate Holder was issued a CNA certificate in Oregon on February 26, 2008.

Certificate Holder came to the Board's attention in March 2012, when the Board received information alleging that Certificate Holder had yelled at a resident and was rough in handling a resident at a nursing home.

On February 27, 2012, Certificate Holder observed a female resident with dementia about to enter another resident's room. The female resident had a pattern of inappropriate contact with other residents.

Certificate Holder was observed shouting at the resident not to go into another resident's room. Certificate Holder then approached the resident from behind, grabbed the resident by the upper right arm and quickly pulled the resident backward. Witnesses reported that the resident stumbled after the contact.

The resident showed no signs of physical harm from the incident.

In his response to the allegation, Certificate Holder stated that the resident is often entering others' rooms and needs to be watched closely. Certificate Holder stated his voice was raised in order to get the resident's attention. Certificate Holder stated he took hold of the resident to get the resident out of the room, but was not rough with the resident.

On or about March 2, 2012, after an internal investigation, Certificate Holder was terminated from the facility for being unnecessarily forceful in redirecting the resident. Certificate Holder had been previously counseled at that facility about his tone of voice and concerns about rough handling of residents.

WHEREAS by the above actions, Ola Taiwo is subject to disciplinary action pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(2)(f), 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:

- (2) Conduct related to other federal or state statutes/rule violations:

- (f) Engaging in other unacceptable behavior or verbal abuse towards or in the presence of a client such as using derogatory names or gestures or profane language.

Certificate Holder admits to the above violation and wishes to cooperate with the Board in resolving the present disciplinary matter.

THEREFORE, the following will be proposed to the Board and is agreed to by Certificate Holder:

That the Certified Nursing Assistant certificate of Ola Taiwo be reprimanded.

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

Certificate Holder understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his certificate, up to and including revocation of his certificate as a nursing assistant.

Certificate Holder understands that this Stipulated Order will be submitted to the Board of Nursing for their approval and is subject to the Board's acceptance. Certificate Holder understands that if this Stipulated Order is accepted, the Board will issue a Final Order based thereon. Certificate Holder understands that this Stipulated Order will become a matter of public record at such time as the Board issues a Final Order adopting it.

Certificate Holder understands that by signing this Stipulated Order, he waives any and all rights to notice and contested case hearing under the Oregon Administrative Procedures Act (ORS Chapter 183), and any and all rights to appeal or otherwise challenge this Stipulated Order and any Final Order issued based thereon.

Certificate Holder states no promises, representations, duress or coercion have been used to

induce him to sign this Stipulated Order.

Certificate Holder has fully read this Stipulated Order, understands this Stipulated Order completely and freely and voluntarily signs this Stipulated Order.

IT IS SO AGREED:

Ola Taiwo, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date

SIGNATURES & DATED COPY TO FILE IN BOARD OFFICE