

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Greg Harrison, CNA

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FINAL ORDER BY DEFAULT

Certificate No. 000025259CNA

Reference No. 12-02652

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. Greg Harrison (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon.

This matter was considered by the Oregon State Board of Nursing at a regular meeting in Portland, Oregon on September 19, 2012. The Certificate Holder did not appear personally.

On August 7, 2012, a Notice stating that the Board intended to suspend the nursing assistant certificate of Certificate Holder was sent to Certificate Holder by certified mail to his address of record. This Notice alleged that Certificate Holder failed to cooperate with the Board during the course of an investigation.

The Notice granted to Certificate Holder an opportunity for hearing, if requested within 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.

-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 is a certified nursing assistant in the State of Oregon and has been since August 10, 1993.
- 1.2 On or about June 27, 2012, Certificate Holder was reported to the Board for inappropriate verbal conduct toward a patient. A case was opened and an investigation initiated.

- 1.3 On July 13, 2012, a Board investigator sent a letter to Certificate Holder's address of record, informing him of the complaint, and asking that he contact the Board's office within 10 business days to schedule an appointment for a personal interview. The letter also requested that Certificate Holder send a written statement and a copy of his work history. Certificate Holder did not respond.
- 1.4 On July 27, 2012, a Board investigator sent Certificate Holder a final letter to his address of record, asking that he contact the Board's offices within 5 business days to schedule a personal interview and provide the previously requested documents. Certificate Holder did not respond.
- 1.5 On August 7, 2012, a Notice of Proposed Suspension of Certificate to Perform Duties of a Nursing Assistant was sent by certified mail to Certificate Holder's address of record.
- 1.6 Certificate Holder did not request a hearing within the allotted 20 days and is thereby in default.

-II-

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

- 2.1 That the Board has jurisdiction over Certificate Holder, Greg Harrison, and over the subject matter of this proceeding.
- 2.2 That Certificate Holder's failure to attend a personal interview with Board staff and provide documents requested by the Board constitutes a failure to cooperate with the Board during the course of an investigation and is grounds for disciplinary action pursuant to ORS 678.442 (2) (f) and OAR 851-063-0080 (6) and OAR 851-063-0090 (9)(a) and (c).
- 2.3 That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted 20 days and as a result, pursuant to ORS 183.750 to 183.550, the Board may enter a Final Order by Default.

**-III-
ORDER**

Based on the foregoing Findings of Fact, Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that Greg Harrison's nursing certificate in the State of Oregon is suspended.

The suspension shall be for a minimum of two (2) weeks and remain in effect until such time that Mr. Harrison has fully cooperated with the Board's investigation.

The suspension will commence seven (7) calendar days from the date the Board Order is signed.

DATED this _____ day of September, 2012

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

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 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 60 days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.