

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of

Stephanie Lauren Bird, CNA

Certificate No. 200811815CNA

)
)
)
)
)

**FINAL ORDER
BY DEFAULT**

Ref No. 11-01928

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, in the State of Oregon. Stephanie Lauren Bird (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 regularly scheduled meeting in Portland, Oregon on April 20, 2011.

On February 23, 2011, a Notice stating that the Board intended to suspend the nursing assistant certificate of the Certificate Holder was sent by certified and regular mail to her address of record. This Notice alleged that Certificate Holder had failed to cooperate with the Board during the course of an investigation. The Notice further 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.

NOW THEREFORE, after consideration of the records and files of the Board 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 is a Certified Nursing Assistant in the State of Oregon and has been since August 28, 2008.
- 1.2 Certificate Holder failed to respond to a letter written on December 1, 2010 instructing her to send additional information regarding her arrest history to the Board. No response was forthcoming.
- 1.3 On December 14, 2010, Board staff sent a final warning letter to Certificate Holder instructing her to send the requested information by within five business days. The letter warned that if the Board did not receive the requested documentation a Notice of Proposed Suspension of her CNA certificate would be issued. No response was forthcoming.

- 1.4 On February 23, 2011, a Notice stating that the Board intended to suspend the certified nursing certificate of Certificate Holder was sent to the certificate holder by certified and regular mail to his address of record. The Notice granted to the certificate holder an opportunity for hearing, if requested within the 20 days of 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.
- 1.5 Certificate Holder did not request a hearing within the allotted 20 days.

-II-
CONCLUSIONS OF LAW

- 2.1 That the Board has jurisdiction over the certificate holder, and over the subject matter of this proceeding.
- 2.2 That Certificate Holder's failure to cooperate with the Board during the course of an investigation as described in Section I above, constitutes conduct unbecoming a nursing assistant, in violation of ORS 678.442(2)(d) and OAR 851-063-0090(9)(a) & (b).
- 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 183.310 to 183.750, 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 Stephanie Lauren Bird's nursing assistant certificate in the State of Oregon is suspended for a minimum of fourteen (14) days and until he fully complies with the Board's request, commencing seven (7) calendar days from the date this Final Order is signed.

Dated this _____ day of April 2011.

For the Board of Nursing of the State of Oregon by:

Patricia Markesino, RN
Board President

To: Stephanie Lauren Bird

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

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE