

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of  
Gabriel Johnson**

)  
) **FINAL ORDER OF REVOCATION OF**  
) **NURSING ASSISTANT CERTIFICATE BY**  
) **DEFAULT**  
)  
) **Reference No. 15-00797**

**Certificate No. 201403122CNA**

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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. On May 30, 2014, Gabriel Johnson (CNA) was issued a Nursing Assistant certificate by the Board which expired on January 06, 2015.

This matter was considered by the Board at its meeting on August 12, 2015.

On July 21, 2015, a Notice stating that the Board intended to revoke the Nursing Assistant certificate of Gabriel Johnson was sent to him via certified and first-class mail to his address of record. The Notice alleged that CNA diverted and abused controlled substances.

The Notice granted CNA an opportunity for hearing if requested within twenty (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 its records and files 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. On May 30, 2014, CNA was issued a Nursing Assistant certificate by the Board which expired on January 06, 2015.
2. In November 2014, CNA was arrested for allegedly altering written prescriptions for narcotic medications on multiple occasions in order to obtain and consume more than were originally prescribed to him. In May 2015, CNA admitted to Board staff that he did, in fact, perform the above-mentioned acts for which he was arrested.
3. On July 21, 2015, Board staff mailed a Notice of Proposed Revocation of Nursing Assistant Certificate to CNA via first-class and certified mail. The Notice granted

CNA twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

**-II-**

**CONCLUSIONS OF LAW**

1. That the Board has jurisdiction over the CNA, Gabriel Johnson, and over the subject matter of this proceeding.
2. That CNA's conduct is in violation of ORS 678.442(2)(d) and OAR 851-063-0080(3) and (4).
3. That CNA defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

**-III-**

**ORDER**

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

ORDERED that the Nursing Assistant certificate of Gabriel Johnson is revoked.

DATED this \_\_\_\_\_ day of August, 2015

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

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

TO: GABRIEL JOHNSON:

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 (sixty) 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 sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Nursing Assistant certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE