

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **FINAL ORDER OF REVOCATION**
Christopher Handy, CNA) **OF NURSING ASSISTANT**
) **CERTIFICATE BY DEFAULT**
)
)
Certificate No. 200512879CNA) **Reference No. 15-00861**

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. Christopher Handy (Certificate Holder) was issued a Certified Nursing Assistant Certificate by the Board on December 08, 2005.

This matter was considered by the Board at its meeting on March 18, 2015.

On February 23, 2015, a Notice stating that the Board intended to revoke the Certified Nursing Assistant certificate of Christopher Handy was sent to him via certified and first-class mail to his address of record. The Notice alleged that Certificate Holder failed to cooperate with the Board during the course of an investigation.

The Notice granted Certificate Holder 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. Certificate Holder was issued a Nursing Assistant certificate in the state of Oregon on December 08, 2005.
2. On December 11, 2014, Certificate Holder was reported to the Board for furnishing a controlled substance to a co-worker while both co-workers were on duty. The Board opened an investigation into the matter.
3. On December 15, 2014, Board staff mailed a letter to Certificate Holder's address of record requesting that Certificate Holder schedule an interview to discuss the allegations. Certificate Holder was further instructed to send a written statement

regarding the allegations and a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board

4. On December 30, 2014, a second letter was sent to Certificate Holder's address of record requesting that Certificate Holder contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and provide a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.
5. On January 14, 2015, Board staff mailed a Notice of Proposed Suspension of Nursing Assistant Certificate via first-class and certified mail to Certificate Holder's address of record. The Notice alleged that Certificate Holder failed to cooperate with the Board during the course of an investigation. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing and designated that the agency file would be the record for purposes of default. No such request for hearing was received.
6. On February 18, 2015, the Board issued a Final Order of Suspension by Default for Failure to Cooperate for a minimum of two weeks and until such time as Certificate Holder fully cooperated with the Board's investigation.
7. On February 23, 2015, Board staff mailed a Notice of Proposed Revocation of Nursing assistant Certificate to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder 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. No such request for hearing has been received by the Board.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Christopher Handy, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442 (2)(d), and (f), and OAR 851-063-0080(4) and (6) and OAR 851-063-0090(2)(h) and (9)(a),and (c).
3. That Certificate Holder 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 Certified Nursing Assistant License/certificate of Christopher Handy is revoked.

DATED this _____ day of March, 2015

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Gary Hickmann, RN
Board President

TO: CHRISTOPHER HANDY:

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.