

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
TENA L. FERGUSON, CNA) **VOLUNTARY SURRENDER**
)
Certificate No. 200712721CNA) **Reference No. 14-00720**

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 (Ms. Ferguson). Tena L. Ferguson was issued a CNA certificate by the Board on December 20, 2007.

During the course of a Board investigation it was discovered that Ms. Ferguson's work hours used for renewal of her CNA certificate do not meet the Board's requirements. Thus, Ms. Ferguson does not hold a valid CNA certification.

By the above actions, Ms. Ferguson is in violation of and subject to discipline pursuant to ORS 678.442(2)(f); OAR 851-062-0070(3)(c)(A); 851-063-0080(6); and 851-063-0090(8)(g) which reads as follows:

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.

851-062-0070

Renewal or Reactivation of Certification

- (3) To renew certification a CNA must, prior to the certificate expiration date:
 - (c) Document paid employment:
 - (A) Document at least 400 hours of paid employment as a CNA within the CNA or CMA authorized duties, under supervision or monitoring by a nurse, in the two years immediately preceding the certificate expiration date.

851-063-0080

Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA certificate

Under the contested case procedure in ORS 183.310 to 183.550 the Board may deny, reprimand, suspend, place on probation or revoke the certificate to perform duties as a CNA for the following causes:

- (6) Conduct unbecoming a nursing assistant in the performance of duties ORS 678.442(2)(f).

851-063-0090

Conduct Unbecoming a Nursing Assistant

- (8) Conduct related to certificate violations:
 - (g) Representing oneself as a CNA without current, valid CNA certification.

Ms. Ferguson wishes to cooperate with the Board in this matter and voluntarily surrender her nursing assistant certification.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Ms. Ferguson:

That the voluntary surrender of the nursing assistant certificate of Tena L. Ferguson be accepted. If, after a minimum of three years, Ms. Ferguson wishes to reinstate her nursing assistant certificate, she may submit an application to the Board to request reinstatement.

Ms. Ferguson agrees that she will not work as a certified nursing assistant from the date she signs this Order.

Ms. Ferguson understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Ms. Ferguson understands that by signing this Stipulated Order, she waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. Ms. Ferguson acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Ms. Ferguson understands that this Order is a document of public record.

Ms. Ferguson has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Voluntary Surrender.

Tena L. Ferguson

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date