

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of)
Kirsten Vantzelfden, CNA) **FINAL ORDER BY DEFAULT**
)
)
Certificate No. 200811572CNA) **Reference No. 12-00016**

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 (CNAs) in the State of Oregon. Kirsten Vantzelfden (Certificate Holder) is a CNA who has been certified since July 31, 2008.

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

On August 20, 2012, a Notice stating that the Board intended to revoke the nursing assistant certificate of Certificate Holder was sent to Certificate Holder by certified and first class mail to her address of record. This Notice alleged that Certificate Holder admitted the use of marijuana and methamphetamine to Board staff, and admitted that she had been impaired while at work on July 5, 2011, and told Board staff that she was unable to complete treatment for substance abuse. The Notice further alleged that Certificate Holder was arrested and charged with one count of felony methamphetamine possession.

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.

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 On or about July 5, 2011, Certificate Holder was asked by her employer to provide a urine drug screen because she appeared to be impaired while on duty. She was observed to be pale and shaky, and her eyes were partially closed. Certificate Holder was unable to provide a specimen for testing but admitted to her employer that the drug screen would be positive and that she had used marijuana and methamphetamine.

- 1.2 On July 8, 2011, Certificate Holder told Board staff that she had used methamphetamine and was impaired while at work on July 5, 2011. She signed an Interim Consent Order removing herself from all CNA and caregiving duties.
- 1.3 In September 2011, Certificate Holder informed Board staff that she had been referred for residential substance abuse treatment.
- 1.4 On July 4, 2012, Certificate Holder was arrested and charged with one count of felony methamphetamine possession.
- 1.5 On July 9, 2012, Certificate Holder informed Board staff that she had not obtained the recommended treatment for chemical dependence and that she had relapsed with methamphetamine four months earlier.

-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, Kirsten Vantzelfden, and over the subject matter of this proceeding.
- 2.2 That Certificate Holder's conduct as described in Section I above is grounds for revocation of her nursing assistant certificate pursuant to ORS 678.442(2)(c)(f) and OAR 851-063-0080(3)(6) and 851-063-0090(2)(h), (7)(a).
- 2.3 That Licensee 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 Kirsten Vantzelfden's Nursing Assistant Certificate in the State of Oregon is revoked.

According to OAR 851-001-0015 Certificate Holder Kirsten Vantzelfden will be eligible for reinstatement after three years. Certificate Holder may appear before the Board to request reinstatement. Certificate Holder shall provide documented evidence of reformation. Certificate Holder may need to successfully complete a CNA training program and the certification examination. Should the Board reinstate the nursing assistant certificate of the Certificate Holder she will be subject to whatever terms and conditions the Board may impose.

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.