

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Ramiro Vazquez, CNA) **SUSPENSION OF CERTIFICATE**
)
Certificate No. 201111565CNA) **Reference No. 16-00215**

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. Ramiro Vazquez (CNA) was issued a Certified Nursing Assistant certificate by the Board on June 28, 2011.

On or about August 3, 2015, the Board received information that CNA had abused a patient by restricting a patient's movement without a medical need.

On September 23, 2015, CNA admitted to Board staff that he had in fact restricted a patient's ability to move their arm without medical necessity and that he failed to respect the dignity and rights of the patient.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(d)(f) and OAR 851-063-0090(8)(d)(3)(g) which read as follows:

ORS 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:

- (d) Violation of any provisions of ORS 678.010 to 678.445 or rules adopted thereunder.
- (f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

- (8) Conduct related to other federal or state statutes/rule violations:
 - (d) Abusing a person;
 - (3) Conduct related to client safety and integrity:
 - (g) Failing to respect the dignity and rights of the person receiving nursing services, regardless of social or economic status, age, race, religion, sex, sexual orientation, national origin, nature of health needs, other physical attributes, or disability;

CNA wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CNA:

That the Certified Nursing Assistant certificate of Ramiro Vazquez be SUSPENDED for

15 days, commencing five business days from the date this Order is signed by the Oregon State Board of Nursing.

CNA shall complete coursework pre-approved by the Board in the following areas: (1) critical thinking (2) patient rights and dignity and (3) ethics. The suspension of Ramiro Vazquez's Certified Nursing Assistant certificate shall be for a minimum of 15 days and shall continue until CNA provides documentation to the Board showing proof of completion of the above coursework.

CNA understands that the conduct resulting in the violations of law described in this Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

CNA understands that in the event he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his certificate, up to and including revocation of his certificate to practice as a Certified Nursing Assistant.

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

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

CNA understands that this Order is a document of public record.

CNA has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Suspension.

Ramiro Vazquez, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Bonnie Kostelecky MS, MPA, RN
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE