

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Julie Ana Johnson, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 201011647CNA) **Reference No. 13-01387**

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. Julie Ana Johnson (Certificate Holder) was issued a nursing assistant certificate by the Board on July 16, 2010.

On or about February 5, 2013, the Board received information that Certificate Holder had been arrested on September 17, 2012 for Driving Under the Influence of Intoxicants and additional charges. The Board opened an investigation into the matter.

On September 17, 2012, Certificate Holder was driving a vehicle and was involved in a single vehicle crash that caused injury to her passenger. Certificate Holder left the scene of the crash before police arrived. Around the time of her arrest, Certificate Holder's Blood Alcohol Content was measured to be 0.15%.

On or about April 9 2013, Certificate Holder pled no contest and was convicted of Failure to Perform Duties of a Driver, Driving Under the Influence of Intoxicants, and Contempt of Court. Certificate Holder is currently on court probation for the charges and is complying with court-ordered activities.

Certificate Holder acknowledges she drank alcohol and drove on the day of her arrest. Certificate Holder said she normally does not drink much alcohol, and she drank more than normal on the day of her arrest. Certificate Holder said she "blacked out" while driving and said her behavior on the day of her arrest was out of character for her.

Certificate Holder stated her arrest on September 17, 2012 is the only arrest in her background. A criminal background check did not reveal any additional arrests.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(a) & (c) and OAR 851-063-0080(1) & (3), which provide 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:
 - (a) Conviction of the certificate holder of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant. A copy of the record of such conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.
 - (c) Impairment as defined in ORS 676.303.

OAR 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:

- (1) Conviction of the nursing assistant of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant; ORS 678.442(2)(a).
- (3) Use of any controlled substance or intoxicating liquor to an extent or in a manner injurious to the certificate holder or others or to an extent that such use impairs the ability to conduct safely the duties of a nursing assistant; ORS 678.442(2)(c).

Certificate Holder 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 Certificate Holder:

That the Certified Nursing Assistant certificate of Julie Ana Johnson be reprimanded.

Certificate Holder 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.

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

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

Certificate Holder 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. Certificate Holder acknowledges that no promises, representations, duress or coercion have been used to induce her to sign this Order.

Certificate Holder understands that this Order is a document of public record.

Certificate Holder has read this Stipulated Order, understands this Order completely, and freely signs this Stipulated Order for Reprimand.

IT IS SO AGREED:

Julie Ana Johnson, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date