

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Caroline Barnes Hinds) **VOLUNTARY SURRENDER**
)
Certificate No. 200310839CNA) **Reference No. 15-00452**

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. Caroline Barnes Hinds (Certificate Holder) was issued a Certified Nursing Assistant certificate by the Board on March 18, 2003.

On or about September 19, 2014, the Board received information that Certificate Holder had recently been terminated from a nursing assistant position after an allegation that Certificate Holder had abused a resident.

On or about September 13, 2014, Certificate Holder assisted a co-worker in changing a resident's bedding and brief after the resident was incontinent. The resident told Certificate Holder that she did not want her brief changed, and the resident complained of pain during care. Certificate Holder acknowledged she proceeded to change the resident's bedding despite the resident's complaints of pain.

While resisting care, the resident hit Certificate Holder on the hand/arm. Certificate Holder acknowledged that she responded by telling the resident that if the resident hit Certificate Holder again, Certificate Holder would "knock [the resident's] lights out and call the police."

Certificate Holder stated her reaction after being struck by the resident was out of character for her. Certificate Holder stated she no longer wishes to work as a Certified Nursing Assistant.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(1)(c) & (2)(d), 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:
 - (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," who, in the performance of nursing related duties, may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Conduct unbecoming a nursing assistant includes but is not limited to:

- (1) Conduct related to the client's safety and integrity:
 - (c) Failing to respect client rights and dignity regardless of social or economic status, personal attributes or nature of health problems or disability.
- (2) Conduct related to other federal or state statutes/rule violations:
 - (d) Abusing a client. The definition of abuse includes but is not limited to intentionally causing physical harm or discomfort, striking a client, intimidating, threatening or

harassing a client.

Certificate Holder wishes to voluntarily surrender her Certified Nursing Assistant certificate.

Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by Certificate Holder:

That the voluntary surrender of the Certified Nursing Assistant certificate of Caroline Barnes Hinds be accepted. If, after a minimum of three years, Ms. Barnes Hinds wishes to reinstate her Certified Nursing Assistant certificate, she may submit an application to the Board to request reinstatement.

Certificate Holder agrees that she will not practice as a Certified Nursing Assistant from the date she signs this Order.

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 Voluntary Surrender.

IT IS SO AGREED:

Caroline Barnes Hinds

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Gary Hickmann, RN
Board President

Date