

**BEFORE THE BOARD OF NURSING
OF THE STATE OF OREGON**

In the Matter of)	
)	FINAL ORDER
Tavia Lynn Wilson, CNA)	BY DEFAULT
)	
Certificate No. 200512187CNA)	Case No. 11C-043

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, in the State of Oregon. Tavia Lynn Wilson (Certificate Holder) is a Certified Nursing Assistant in the State of Oregon.

This Matter was considered by the Oregon State Board of Nursing at an interim meeting in Portland, Oregon on January 13, 2010.

On September 16, 2010, a Notice stating that the Board intended to suspend the nursing assistant certificate of Tavia Lynn Wilson was sent to the certificate holder by certified and regular mail to his address of record. This Notice alleged that Certificate Holder had failed to cooperate with the Board during the course of an investigation. The Notice further 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 Tavia Lynn Wilson is a Certified Nursing Assistant in the State of Oregon and has been since September 16, 2005.
- 1.2 Tavia Lynn Wilson failed to respond to a letter written on July 28, 2010 instructing him to sign a release of information with his drug treatment provider and have his records sent to the Board. No response was forthcoming.
- 1.3 On August 24, 2010, Board staff sent a final request letter to your address of record, instructing you to schedule an interview and produce the requested documentation within five business days. No response was forthcoming.

- 1.4 On September 16, 2010, a Notice stating that the Board intended to suspend the certified nursing certificate of Tavia Lynn Wilson was sent to the certificate holder by certified and regular mail to his address of record. The Notice granted to the certificate holder an opportunity for hearing, if requested within the 20 days of 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.
- 1.5 Tavia Lynn Wilson did not request a hearing within the allotted 20 days.

-II-
CONCLUSIONS OF LAW

- 2.1 That the Board has jurisdiction over the certificate holder, Tavia Lynn Wilson, and over the subject matter of this proceeding.
- 2.2 That Tavia Lynn Wilson's failure to cooperate with the Board during the course of an investigation as described in Section I above, constitutes conduct unbecoming a nursing assistant, in violation of ORS 678.442(2)(f) and OAR 851-063-0090(9)(a) & (b).
- 2.3 That Tavia Lynn Wilson 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 Tavia Lynn Wilson's nursing assistant certificate in the State of Oregon is suspended for a minimum of fourteen (14) days and until he fully complies with the Board's request, commencing seven (7) calendar days from the date this Final Order is signed.

Dated this _____ day of October 2010.

[SIGNATURE & DATED COPY ON FILE IN BOARD OFFICE]

For the Board of Nursing of the State of Oregon by:

Patricia Markesino, RN
Board President

To Tavia Lynn Wilson:

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 the 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 service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.