

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of Rebecca Smith, CNA Certificate No. 201011778CNA) STIPULATED ORDER FOR) VOLUNTARY SURRENDER OF) CERTIFIED NURSING ASSISTANT) Reference No. 13-01934
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Rebecca Smith (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on July 29, 2010.

On or about December 15, 2011, it was reported that Certificate Holder had used heroin and methamphetamines outside of work. She submitted to a drug screen which tested positive for methamphetamine and opioids. Certificate Holder admitted to a history of substance abuse.

Certificate Holder entered a drug treatment program through Kaiser Permanente, where she successfully completed intensive outpatient treatment, and was active in counseling and an ongoing recovery support program. Certificate Holder reported no use of opiates since January 31, 2012, and no use of amphetamines since March 27, 2012. Her drug screening tests were negative for all drugs and alcohol as of April 3, 2012. Certificate Holder's diagnosis was Amphetamine and Opiate Dependence in early full remission.

On August 15, 2012, the Board placed Certificate Holder on 24 months of probation, which included urine testing.

During the month of April, 2013, Certificate Holder submitted what appeared to be a forged chain of custody form for a UA; failed to provide additional UA's as requested, and was terminated from her employment.

On April 23, 2013, Smith stated that she had relapsed on Methamphetamines; dropped out of school and was now living with her parents.

Certificate Holder stated that she wished to voluntarily surrender her license while she tries to "get her life back on track."

By the above actions, Certificate Holder is subject to discipline pursuant to violations of ORS 678.442 (2) (c) (f) and OAR 851-063-0080 (3) and OAR 851-063-0090 (7) (a), (8) (a) and (9) (d), which provide:

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:

(c) Impairment as defined. ORS 676.303.

(f) Conduct unbecoming a nursing assistant in the performance of duties.

OAR 851-063-0080 Causes for Denial, Reprimand, Suspension, Probation or Revocation of CNA Certificate

(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

OAR 851-063-0090 Conduct Unbecoming a Nursing Assistant

(7) Conduct related to impaired function:

(a) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the nursing assistant or others or to an extent that such use impairs the ability to conduct safely the duties of a nursing assistant.

(8) Conduct relation to certificate violations:

(a) Providing, selling, applying for or attempting to procure a certificate by willful fraud or misrepresentation.

(9) Conduct related to the certificate holder's relationship with the Board.

(d) Violating the terms and conditions of a Board order.

CNA wishes to cooperate with the Board in this matter and 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 CNA:

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

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

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, she waives the right to an administrative hearing under ORS 183.310 to 183.540. CNA acknowledges that no promises, representations, duress or coercion have been used to induce her 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 Voluntary Surrender.

Rebecca Smith, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE