

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Kathy Florian, CNA** ) **VOLUNTARY SURRENDER**  
)  
**License No. 201400980CNA** ) **Reference No. 14-01383**

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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. Kathy Florian (Certificate Holder) was issued a nursing assistant certificate by the Board on February 20, 2014.

In May 2013, the Board received information that Certificate Holder who was an applicant at that time, had disclosed an arrest history, which included theft and arrests related to substance abuse.

Following her August 17, 2011 arrest, Certificate Holder completed a chemical dependency treatment program. In October 2012, Certificate Holder completed a diversion program.

Upon issuance of twenty four (24) months of Board probation, Certificate Holder has decided not to participate in the program and has chosen to voluntarily surrender her certificate at this time.

By the above actions, Certificate Holder is subject to discipline pursuant to ORS 678.442 (2) (c), OAR 851-063-0090 (9) (d), which reads as follows:

ORS 678.442 Certificate 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 in ORS 676.303.

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:

(9) Conduct related to the Certificate Holder's relationship with the Board:

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

Certificate Holder 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 Certificate Holder:

**That the voluntary surrender of the Certified Nursing Assistant Certificate of Kathy Florian be accepted. If, after a minimum of three years, Ms. Florian 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.

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Kathy Florian, CNA

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Date

**ORDER**

IT IS SO ORDERED:

**BOARD OF NURSING FOR THE STATE OF OREGON**

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Kay Carnegie, RN, MS  
Board President

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Date