

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
June Hooper, CNA**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)
)

Certificate No. 200211587CNA

) **Reference No. 12-01735**

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. June Hooper (Certificate Holder) is a Certified Nursing Assistant in the state of Oregon.

This matter was considered by the Board at its meeting on January 16, 2013.

On November 19, 2012, a Notice stating that the Board intended to revoke the Nursing Assistant certificate of June Hooper was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder roughly handled an elderly resident, constituting abuse.

The Notice granted Certificate Holder an opportunity for hearing if requested within twenty (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 its records and files 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. Certificate Holder was issued a Nursing Assistant Certificate in the state of Oregon on or about June 19, 2002.
2. On or about February 8, 2011, Certificate Holder was observed removing an elderly resident with Alzheimer's disease from another resident's room by grabbing the back of the resident's shirt with one hand and grabbing the resident's upper arm with the other hand. Certificate Holder was observed dragging or pulling the resident into the hallway.
3. Certificate Holder's statements about this incident were inconsistent, but Certificate Holder admitted that she was not familiar with the resident's care plan.

4. After the incident, staff observed a bruise on the resident's upper arm, approximately the size of a thumbprint. Staff reported the resident did not have the bruise earlier on the day of the incident.
5. As of February 2012, Certificate Holder has a finding of substantiated abuse against her CNA certificate, placed by the Oregon Department of Human Services, Seniors and People with Disabilities (SPD).
6. On November 19, 2012, Board staff mailed a Notice of Proposed Revocation of Nursing Assistant Certificate to Certificate Holder via first-class and certified mail. The Notice granted Certificate Holder twenty (20) days from the date of the mailing of the Notice to request a hearing. The Notice also designated that the agency file would be the record for purposes of default.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, June Hooper, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(f), OAR 851-063-0080(6) and OAR 851-063-0090(1)(c) & (2)(d),
3. That Certificate Holder defaulted on the Notice by not requesting a hearing within the allotted twenty (20) days and, as a result, pursuant to ORS 183.417(3), the Board may enter a Final Order by Default.

-III-

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

ORDERED that the Nursing Assistant Certificate of June Hooper is REVOKED.

DATED this _____ day of January, 2013

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

TO: JUNE HOOPER:

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 (sixty) 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 this 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 sixty (60) days from the date of service of this Order. Judicial review is pursuant to the provisions of ORS 183.482.

If, after a minimum of three (3) years, you wish to reinstate your Nursing Assistant Certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE