

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

In the Matter of)	
)	FINAL ORDER
Tanya Lanette Sallah, CNA)	BY DEFAULT
)	
Certificate No. 200412480CNA)	Case No. 11C-046
)	

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 (CNAs) in the State of Oregon. The Board certified Tanya Lanette Sallah (Certificate holder) on October 18, 2004, by endorsement.

Certificate Holder, upon application for renewal of certificate, disclosed that on August 6, 2009, the Tualatin, Oregon Police Department, arrested her for Felony Assault. Certificate Holder explained that she and her husband engaged in a verbal argument that turned into a physical altercation, after Certificate Holder's husband pushed her twice forcefully onto the bed. Certificate Holder then began hitting him with the cord from her computer.

Certificate Holder's children, a 14 and a 20, pulled her and her husband apart. Certificate Holder admitted to the police that her behavior was wrong and that the argument got out of hand. Certificate Holder was charged with a felony, because a minor child was present. Certificate Holder was convicted of felony assault and received 3 years of probation.

On December 17, 2010, a Notice stating that the Board intended to Reprimand Certificate holder's certification was sent to Certificate holder both by certified and regular mail to her address of record. This Notice alleged that the Certificate Holder was arrested and convicted of Felony assault 4. The Notice further granted to Certificate holder an opportunity for hearing, if requested within 20 days of the mailing of the Notice. Certificate Holder did not request a hearing within the allotted time. The Notice designated the Board's file on this matter as the record for purposes of default.

-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 Certificate Holder received her license from the Oregon State Board of Nursing on October 18, 2004.
- 1.2 On or about August 6, 2010, Certificate Holder was arrested by the Tualatin Police Department in Oregon for Felony Assault.
- 1.3 On October 8, 2009, Certificate Holder was convicted of Felony Assault 4.
- 1.4 On December 17, 2010, a Notice stating that the Board intended to Reprimand Certificate holder's certification was sent to Certificate holder both by certified and regular mail to her address of record. This Notice alleged that the Certificate Holder was arrested and convicted of

Felony assault 4. The Notice further granted to Certificate holder an opportunity for hearing, if requested within 20 days of the mailing of the Notice.

1.5 Certificate Holder did not request a hearing within the allotted 20 days and thereby in default.

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CONCLUSIONS OF LAW

Based on the foregoing Findings of fact, the Board makes the following Conclusions of Law:

- 2.1 That the Board has jurisdiction over the Certificate Holder, Tanya Lanette Sallah, and over the subject matter of this proceeding.
- 2.2 That Certificate Holder's conviction is grounds for discipline of her certificate pursuant to ORS 678.442 (1) (2) (a) & (d) and OAR 851-063-0080 (1) (4).
- 2.3 That Certificate Holder 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 Certificate Holder's certification as a nursing assistant be reprimanded.

Dated this _____ day of _____ 2011.

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

Patricia Markesino, RN
Board President

To Tanya Lanette Sallah:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE