

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Claudia Magruder, CNA** ) **REPRIMAND OF CERTIFICATE**  
)  
**Certificate No. 200510563CNA** ) **Reference No. 12-02420**

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Claudia Magruder (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on March 3, 2005.

On April 4, 2011, CNA was convicted of Driving Under the Influence of Intoxicants, Reckless Driving, and Assault in the Fourth Degree and sentenced to two years probation.

In May 2012, CNA submitted a renewal application to the Board and failed to disclose the above convictions.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(a)(b)(d)(f); and OAR 851-063-0080(1), (2), (4), (6); and OAR 851-063-0090(9)(b) which provide as follows:

**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:

(a) Conviction of the certificate holder of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant. A copy of the record of such conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence of the conviction.

(b) Any willful fraud or misrepresentation in applying for or procuring a certificate or renewal thereof.

(d) Violation of any provisions of ORS 678.010 to 678.445 or rules adopted thereunder.

(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**

Under the contested case procedure in ORS 183.310 to 183.550 the Board may deny, reprimand, suspend, place on probation or revoke the certificate to perform duties as a CNA for the following causes:

- (1) Conviction of the nursing assistant of a crime where such crime bears demonstrable relationship to the duties of a nursing assistant; ORS 678.442(2)(a).
- (2) Any willful fraud or misrepresentation in applying for or procuring a certificate or renewal thereof; ORS 678.442(2)(b).
- (4) Violation of any provision of ORS 678.010 to 678.445 or rules adopted thereunder; ORS 678.442(2)(d).
- (6) Conduct unbecoming a nursing assistant in the performance of duties ORS 678.442(2)(f).

**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:
  - (b) Failing to answer truthfully and completely any question asked by the Board on an application for initial certification, renewal of certification or recertification

CNA wishes to cooperate with the Board in this matter. Therefore, the following will be proposed to the Oregon State Board of Nursing and is agreed to by CNA:

**That the Certified Nursing Assistant certificate of Claudia Magruder be reprimanded.**

CNA understands that the conduct resulting in the violations of law described in this Stipulated Order are considered by the Board to be of a grave nature and, if continued, constitutes a serious danger to public health and safety.

CNA understands that in the event CNA engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against CNA's certificate, up to and including revocation of CNA's certificate to practice as a Certified Nursing Assistant.

CNA understands that this Stipulated 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, CNA 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 CNA to sign this Stipulated Order.

CNA understands that this Stipulated Order is a document of public record.

CNA has read this Stipulated Order, understands this Stipulated Order completely, and freely signs this Stipulated Order for Reprimand.

\_\_\_\_\_  
Claudia Magruder, CNA

\_\_\_\_\_  
Date

**ORDER**

IT IS SO ORDERED:

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

\_\_\_\_\_  
Kay Carnegie, RN, MS  
Board President

\_\_\_\_\_  
Date