

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Patrick Hallinan, CNA**

**) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER OF
) CERTIFIED NURSING ASSISTANT
CERTIFICATE
) Reference No. 14-01046**

Certificate No. 200811056CNA

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. Patrick Hallinan (Certificate Holder) was issued a nursing assistant certificate by the Board on May 27, 2008.

In August 2013, the Board received a complaint from Certificate Holder's employer alleging that he was found to be under the influence of alcohol at work. A for-cause breath and urinalysis, (UA) test revealed a blood alcohol content of 0.102% and the presence of marijuana. As a result, Certificate Holder was terminated from his employment at Portland Adventist Medical Center.

A September 2013 chemical dependence evaluation by Western Psychological and Counseling Services diagnosed alcohol dependence and recommended Certificate Holder for Level 111.7, Medically-Managed Intensive Inpatient Treatment. That same month, Certificate Holder began a four-day detoxification at St. Helena Hospital in California, followed by a 28-day inpatient treatment, which he successfully completed.

Certificate Holder had no record of public discipline and only one previously disclosed arrest for Driving Under the Influence of Intoxicants in December 1999. Certificate Holder successfully completed a court-ordered diversion program, seemed to take responsibility for his actions and was fully engaged in treatment and management of his issues.

On November 20, 2013, Certificate Holder was placed on 24 months of Board probation. On January 10, 2014, Certificate Holder submitted a UA that came back positive for an extremely high alcohol level. Upon contact, Certificate Holder informed Board staff that he had relapsed around the first week of January.

Board staff suggested returning to treatment however, Certificate Holder is unemployed and felt he could not afford the treatment he needed at this time. Upon further discussion Certificate Holder agreed to voluntarily surrender his certificate to give him time to focus on his sobriety and obtaining treatment.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442 (2) (c), and OAR 851-063-0090 (7) (a), (9) (d), which provides 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:

(7) Conducted 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.

(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 his 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 Patrick Hallinan be accepted. If, after a minimum of three years, Mr. Hallinan wishes to reinstate his Certified Nursing Assistant certificate, he may submit an application to the Board to request reinstatement.

CNA agrees that he will not practice as a Certified Nursing Assistant from the date he 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, he waives the right to an administrative hearing under ORS 183.310 to 183.540, and to any judicial review or appeal thereof. CNA acknowledges that no promises, representations, duress or coercion have been used to induce him 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.

Patrick Hallinan, 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