

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of

Christina Armstrong, CNA

Certificate No. 000016179CNA

)

) **FINAL ORDER OF SUSPENSION**

) **BY DEFAULT FOR**

) **FAILURE TO COOPERATE**

)

) **Reference No. 13-01147**

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. Christina Armstrong (Certificate Holder) is a Certified Nursing Assistant in the state of Oregon.

This matter was considered by the Board at its meeting on June 19, 2013.

On May 1, 2013, a Notice stating that the Board intended to suspend the nursing assistant certificate of Christina Armstrong was sent to her via certified and first-class mail to her address of record. The Notice alleged that Certificate Holder failed to cooperate with the Board during the course of an investigation.

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 July 9, 1991.
2. On or about December 13, 2012, Certificate Holder contacted Board staff to self-report

her recent conviction for Driving Under the Influence of Intoxicants. The Board opened an investigation into the matter.

3. On March 11, 2013 Certificate Holder attended an interview with Board staff to discuss information related to this investigation.
4. Following that interview, on March 13, 2013, Board staff mailed a letter to Certificate Holder's address of record requesting that Certificate Holder provide her treatment records and a written statement to the Board. Certificate Holder failed to provide the requested records and a written statement to the Board.
5. On March 27, 2013, Board staff mailed final request letters to Certificate Holder's address of record, as well as an additional temporary address provided by Certificate Holder, requesting that Certificate Holder provide treatment records, copies of releases signed with her treatment providers, and a written statement to the Board.
6. Certificate Holder failed to respond to the Board's requests. Certificate Holder did not provide the requested documents to the Board.
7. On May 1, 2013, Board staff mailed a Notice of Proposed Suspension 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, Christina Armstrong, and over the subject matter of this proceeding.
2. That Certificate Holder's failure to cooperate with the Board during the course of an investigation is grounds for disciplinary action pursuant to ORS 678.442(2)(f), OAR 851-063-0080(6) and OAR 851-063-0090(9)(a) and (c).
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 Christina Armstrong is SUSPENDED for a minimum of two weeks, commencing five business days from the date this Order is signed, and shall continue until such time as Christina Armstrong has fully cooperated with the Board's investigation. Should the Board reinstate the nursing assistant certificate of Christina Armstrong, she would be subject to whatever terms and conditions the Board may impose.

DATED this ____ day of June, 2013

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

TO: CHRISTINA ARMSTRONG:

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.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE