

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER FOR**  
**Stephen Presley, CNA** ) **SUSPENSION OF NURSING ASSISTANT**  
 ) **CERTIFICATE WITH CONDITIONS**  
 )  
**Certificate No. 000021777CNA** ) **Reference No. 13-02045**

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Stephen Presley (CNA) was issued a Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on September 15, 1992.

On or about May 13, 2013, the Board received information that CNA had a physical altercation with a client during which the client complained of pain. CNA heard a slight cracking sound from the client's arm. However, CNA failed to report the complained of pain or sound to the supervising nurse or other appropriate person in a timely manner. The client's arm was later found to be broken.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(d) and (f) and OAR 851-063-0090(3)(g) 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:

- (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 851-063-0090 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:

- (3) Conduct related to communication:
  - (g) Failing to communicate information regarding the client's status to the supervising nurse or other appropriate person in a timely manner.

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 Stephen Presley be SUSPENDED for 14 days, commencing five business days from the date this Stipulated Order is signed by the Oregon State Board of Nursing. Stephen Presley will complete a Board-approved**

**continuing education class on legal and ethical issues for nursing assistants prior to the end of suspension.**

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 he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his certificate, up to and including revocation of his 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, he 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 him 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 Suspension.

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Stephen Presley, CNA

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Date

**ORDER**

IT IS SO ORDERED:

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

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Kay Carnegie, RN, MS  
Board President

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Date