

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
) **VOLUNTARY SURRENDER OF**
SHON P. LOCHRIE, CNA/CMA) **MEDICATION AIDE CERTIFICATION**
) **AND REPRIMAND OF NURSING**
) **ASSISTANT CERTIFICATION**
Certificate No. 000034036CNA,)
000034036CMA) **Reference No. 13-00680**

Shon Lochrie (Certificate Holder) was issued an Oregon nursing assistant certification on February 27, 1996, and a medication aide certification on May 12, 1998.

In October 2012, the Board received information that during a routine pharmacy audit at the assisted living facility where Certificate Holder worked, the pharmacy consultant found two occasions where drug counts differed from what the pharmacy packed and Certificate Holder signed for as received. On September 12, 2012, one delivery of 78 tablets of oxycodone was signed as received by Certificate Holder but she only logged 60 of the 78 tablets into the narcotic book. On September 18, 2012, another delivery of 50 tablets of hydrocodone was signed for by Certificate Holder who only logged 30 of the 50 tablets into the narcotic book.

The facility copy of the signed delivery receipts were not placed in the delivery book and were not found in the facility. Facility management and the pharmacy consultant were not able to locate the missing drugs.

Certificate Holder acknowledges that she was the one who had signed for and was responsible for the drugs delivered on both September 12, 2012, and September 18, 2012, but cannot account for the missing pills. Certificate Holder denies using any drugs and denies removing the drugs from the facility for her own use or the use of others. The facility terminated Certificate Holder's employment but did not require that she submit to a urine/blood drug screen.

By the previously described actions, Certificate Holder is subject to discipline pursuant to violations of ORS 678.442(2)(f); OAR 851-063-0080(6); 851-063-0090(3)(a) and (b) and (f); 851-063-0100(7) and (11) which reads as follows:

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:

- (f) Conduct unbecoming a nursing assistant in the performance of duties.

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:

- (6) Conduct unbecoming a nursing assistant in the performance of duties ORS 678.442 (2)(f).

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:
 - (a) Inaccurate recordkeeping in client or agency records;
 - (b) Incomplete recordkeeping regarding client care; including but not limited to failure to document care given or other information important to the client's care or documentation which is inconsistent with the care given;
 - (f) Failing to maintain client records in a timely manner which accurately reflects management of client care, including failure to make a late entry within a reasonable time period.

851-063-0100

Conduct Unbecoming a Certified Medication Aide

Certified medication Aides are subject to discipline as CNAs as described in these rules. In addition, CMAs are subject to discipline for conduct unbecoming a medication aide. Conduct unbecoming a medication aide includes but is not limited to:

- (7) Performing acts beyond the authorized duties for which the individual is certified;
- (11) Failing to conform to the standards and authorized duties in these rules.

Certificate Holder admits that the above allegations occurred and constitute violations of the Nurse Practice Act. Certificate Holder wishes to cooperate with the Board in resolving the present disciplinary matter. The following will be proposed to the Oregon State Board of Nursing and is agreed to by Certificate Holder:

That the Board will accept the voluntary surrender of Shon P. Lochrie's medication aide certification and the Board will reprimand her nursing assistant certification effective the date the Board approves this Stipulated Order.

If, after a minimum of three years, Certificate Holder wishes to reinstate her medication aide certification, she may submit an application to the Board to request reinstatement. Should the Board reinstate her medication aide certification, Certificate Holder will be subject to whatever terms and conditions the Board may impose. Certificate Holder agrees that she will not work as a certified medication aide from the date she signs this Order.

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

Certificate Holder understands that in the event she engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action up to and including revocation of her CNA certification.

Certificate Holder understands that this Order will be submitted to the Board of Nursing for its approval and is subject to the Board's confirmation.

Certificate Holder understands that by signing this Stipulated Order, Certificate Holder waives the right to an administrative hearing under ORS 183.310 to 183.540. Certificate Holder acknowledges that no promises, representations, duress or coercion have been used to induce Certificate Holder to sign this Order.

Certificate Holder understands that this Order is a document of public record.

Certificate Holder has read this Stipulated Order, understands this Order completely, and freely signs this Order.

Shon Lochrie

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date