

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Cher Nycz, CNA**

**) STIPULATED ORDER FOR
) VOLUNTARY SURRENDER OF
) NURSING ASSISTANT CERTIFICATE**

Certificate No. 200812616CNA

) Reference No. 12-02288

Cher Nycz (CNA) was issued a Certified Nursing Assistant certificate by the Oregon State Board of Nursing (Board) on November 20, 2008.

On or about May 3, 2012, the Board received a complaint that CNA was verbally abusive and handled a resident roughly. It was also alleged that CNA failed to provide care to a resident in a timely manner. CNA denies these allegations but wishes to resolve the matter by voluntarily surrendering her CNA certificate.

By the above actions, CNA is subject to discipline pursuant to 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.

851-063-0090 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:

(1) Conduct related to the client's safety and integrity:

(c) Failing to respect client rights and dignity regardless of social or economic status, personal attributes or nature of health problems or disability;

(2) Conduct related to other federal or state statutes/rule violations:

(e) Neglecting a client. The definition of neglect includes but is not limited to unreasonably allowing a client to be in physical discomfort or be injured.

CNA wishes to cooperate with the Board in this matter and voluntarily surrender her 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 Cher Nycz be accepted. If, after a minimum of three years, Ms. Nycz wishes to reinstate her Certified Nursing Assistant certificate, she may submit an application to the Board to request reinstatement.

CNA agrees that she will not practice as a Certified Nursing Assistant from the date she 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, she 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 her 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.

Cher Nycz, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date