

**BEFORE THE OREGON
STATE BOARD OF NURSING**

**In the Matter of
Mary Shew, CNA**

) **STIPULATED ORDER FOR
REPRIMAND OF CERTIFICATE**

)

Certificate No. 000020168CNA

) **Reference No. 12-01912**

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. Mary Shew (CNA) was issued a nursing assistant certificate by the Board on April 15, 1992.

On or about March 12, 2013, the Board received information that CNA failed to notice or report a change in a patient's condition which resulted in patient harm. The Board opened an investigation into the matter.

On or about February 23, 2013, CNA failed to notify the nurse of a serious change in patient condition while on a 1:2 observation assignment, which resulted in patient harm. The patient was found in slight Trendelenberg position, which resulted in a respiratory code and aspiration pneumonia.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442 (2) (f); OAR 851-063-0080 (6); OAR 851-063-0900 (3)(g) and (6)(a).

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:

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

(6) Conduct related to achieving and maintaining clinical competency:

(a) Failing to competently perform the duties of a nursing assistant;

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 Mary Shew be reprimanded.

CNA 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.

CNA 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 against her certificate, up to and including revocation of her certificate to practice as a Certified Nursing Assistant.

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, and to any judicial review or appeal thereof. 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 Reprimand.

Mary Shew, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Kay Carnegie, RN, MS
Board President

Date