

**BEFORE THE OREGON
STATE BOARD OF NURSING**

)
) **FINAL ORDER OF REVOCATION**
) **BY DEFAULT**
)
) **Reference No. 15-00617**

In the Matter of
Eric Youngblood

Certificate No. 201012737CNA

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. Eric Youngblood (Certificate Holder) was issued a Certified Nursing Assistant certificate by the Board on November 4, 2010.

This matter was considered by the Board at its meeting on May 13, 2015.

On April 21, 2015, a Notice stating that the Board intended to revoke the Certified Nursing Assistant certificate of Eric Youngblood was sent to him via certified and first-class mail to his address of record. The Notice alleged that Certificate Holder exhibited signs of impairment at work and tested positive for illegal drugs while working as a nursing assistant, and that Certificate Holder failed to comply with requests from Board staff that he participate in an interview about the incident.

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 Certified Nursing Assistant certificate in the state of Oregon on November 4, 2010.
2. On or about October 24, 2014, Certificate Holder was reported to the Board for exhibiting signs of impairment at work and testing positive for controlled substances. The Board opened an investigation into the matter.
3. On or about October 17, 2014, Certificate Holder arrived late to work for his nursing assistant position. When Certificate Holder arrived at work that day, Certificate Holder appeared lethargic, had slurred speech, was slow moving, and had difficulty tracking conversation. Certificate Holder submitted to a drug screen that day and tested positive for illegal drugs. Certificate Holder was terminated from his position.

4. On or about November 5, 2014, Board staff sent a letter to Certificate Holder requesting that he schedule an interview with Board staff to discuss the complaint, send a copy of his work history, and send a written statement in response to the complaint. Certificate Holder scheduled an interview with Board staff to occur on December 3, 2014. Certificate Holder failed to attend the scheduled interview. Certificate Holder failed to comply with requests from Board staff that he reschedule his interview.
5. On April 21, 2015, Board staff mailed a Notice of Proposed Revocation 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.
6. Certificate Holder failed to request a hearing on the Notice of Proposed Revocation within the required twenty (20) days.

-II-

CONCLUSIONS OF LAW

1. That the Board has jurisdiction over the Certificate Holder, Eric Youngblood, and over the subject matter of this proceeding.
2. That Certificate Holder's conduct is in violation of ORS 678.442(2)(f), OAR 851-063-0080(6), and OAR 851-063-0090(2)(h), (7)(a) & (9)(a).
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 Certified Nursing Assistant certificate of Eric Youngblood is revoked.

DATED this ____ day of May, 2015

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

Gary Hickmann, RN
Board President

TO: ERIC YOUNGBLOOD:

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.

If, after a minimum of three (3) years, you wish to reinstate your Certified Nursing Assistant certificate, you may submit an application to the Board to request reinstatement.

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE