

**BEFORE THE OREGON  
STATE BOARD OF NURSING**

**In the Matter of** ) **STIPULATED ORDER**  
**Timothy Hughes, CNA** ) **FOR VOLUNTARY SURRENDER**

**Certificate No. 201210783CNA** ) **Reference No. 14-01313**

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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. Timothy Hughes (Certificate Holder) was issued a nursing assistant certificate by the Board on April 17, 2012.

In May 2013, Certificate Holder was arrested on a charge of Driving Under the Influence of Intoxicants (DUI), for which he was subsequently convicted. In August 2013, Certificate Holder underwent a mental health evaluation and was assigned the diagnosis of Alcohol Dependence.

On January 15, 2014, the Board placed Certificate Holder on a twenty-four (24) month period of probation to begin upon Certificate Holder's return to work.

Certificate Holder has been unable to acquire a CNA position, but has recently accepted an administrative office position at OHSU. On March 6, 2014 Certificate Holder contacted Board staff to request a voluntary surrender of his CNA certificate so he may work full-time in this new position and pursue further education in a different career path.

By the above actions, CNA is subject to discipline pursuant to violations of ORS 678.442 (2) (c), OAR 851-063-0080 (3), OAR 851-063-0090 (9) (d), which provides as follows:

ORS 678.442 Certificate 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:

(c) Impairment as defined in ORS 676.303.

OAR 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:

(3) Use of any controlled substance or intoxicating liquor to an extent or in a manner injurious to the certificate holder or others or to an extent that such use impairs the ability to conduct safely the duties of a nursing assistant.

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:

- (9) Conduct related to the Certificate Holder's relationship with the Board:
- (d) Violating the terms and conditions of a Board Order.

CNA wishes to cooperate with the Board in this matter and voluntarily surrender his 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 Timothy Hughes be accepted. If, after a minimum of three years, Mr. Hughes wishes to reinstate his Certified Nursing Assistant certificate, he may submit an application to the Board to request reinstatement.

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

\_\_\_\_\_  
Timothy Hughes, CNA

\_\_\_\_\_  
Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

\_\_\_\_\_  
Kay Carnegie, RN, MS  
Board President

\_\_\_\_\_  
Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE