

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of)	NOTICE OF PROPOSED
Fallon King, CNA)	SUSPENSION OF NURSING
)	ASSISTANT CERTIFICATE
)	
Certificate No. 201900337CNA)	Reference No. 20-01183

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. Fallon King (Certificate Holder) was issued a Nursing Assistant Certificate by the Board on January 15, 2019.

I.

On or about June 9, 2020, Certificate Holder was reported to the Board for neglecting a patient on July 15, 2019. The Board opened an investigation into the matter.

On July 29, 2020, Board staff mailed a letter to Certificate Holder's address of record requesting that Certificate Holder schedule an interview to discuss the allegations. Certificate Holder was further instructed to send a written statement regarding the allegations and a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.

On September 9, 2020, a second letter was sent to Certificate Holder's address of record requesting that Certificate Holder contact the Board within five (5) business days to schedule an interview to discuss the allegations. Certificate Holder was also asked to send a written statement regarding the allegations and provide a current work history. Certificate Holder failed to schedule an interview and did not provide any documents to the Board.

II.

The Board alleges that not responding to its inquiries and requests, as described in section I above, constitutes a failure to cooperate with the Board during the course of an investigation, and that Certificate Holder has therefore engaged in conduct unbecoming a nursing assistant, in violation of ORS 678.442(2)(f), OAR 851-063-0090(10)(a) and (c).

ORS 678.442(2)(f) 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.

OAR 851-063-0090(10)(a)(c) Conduct Unbecoming a Nursing Assistant:

A CNA, regardless of job location, responsibilities, or use of the title "CNA," whose behavior fails to conform to the legal standard and accepted standards of the nursing assistant profession, or who may adversely affect the health, safety or welfare of the public, may be found guilty of conduct unbecoming a nursing assistant. Such conduct includes but is not limited to:

(10) Conduct related to the certificate holder's relationship with the Board:

(a) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to waiver of confidentiality, except attorney-client privilege.

(c) Failing to provide the Board with any documents requested by the Board; or

III.

The Board proposes to suspend for an indefinite period Fallon King's Nursing Assistant Certificate on the basis of the violations of law and rule alleged in section II above. Such suspension shall be for a minimum period of two weeks and shall continue until such time as Certificate Holder fully cooperates with the Board's investigation.

In the event that the Board reinstates Certificate Holder's Nursing Assistant Certificate following Certificate Holder's full cooperation with its investigation, the Board may at its discretion initiate further disciplinary action if that investigation determines that Certificate Holder committed other violations of the Nurse Practice Act (ORS 678 et seq) or any of the administrative rules adopted thereunder.

Dated this _____ day of October, 2020

FOR THE OREGON STATE BOARD OF NURSING

Jacy Gamble
Investigations Manager

Notice of Hearing Rights and Exhibit A attached.