

**BEFORE THE OREGON
STATE BOARD OF NURSING**

In the Matter of) **STIPULATED ORDER FOR**
Amir Sabzalian, CNA) **REPRIMAND OF CERTIFICATE**
)
Certificate No. 201805009CNA) **Reference No. 19-01169**

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Certified Nursing Assistant's. Amir Sabzalian (CNA) was issued a Certified Nursing Assistant Certificate by the Board on June 28, 2018.

On or about March 28, 2019, the Board received information that in March of 2019, CNA failed to immediately report a patient fall and also removed a patient's Foley catheter without first deflating the balloon which resulted in patient injury. An investigation was opened into the matter.

In an interview with Board staff on June 20, 2019, CNA explained that on or about March 3, 2019, he entered a patient's room and found the patient on the floor. After seeing that the patient did not have any visible injuries and was not in pain, CNA left the patient's room to answer another patient's call light and on his way he notified the nurse of the patient fall. CNA admitted that he should have stayed with the patient until a nurse could assess the patient.

CNA explained that on or about March 21, 2019, he was asked to remove a patient's Foley catheter. CNA did not deflate the catheter's balloon prior to removal which resulted in patient injury. CNA admitted that he had previously received training on removing Foley catheters, but he did not recall learning about deflating the balloon.

CNA took the NCSBN course *Sharpening Critical Thinking Skills* and the CNA Zone courses *How to Handle Basic Medical Emergencies* and *Medical Error Prevention and Safety for CNA's*.

By the above actions, CNA is subject to discipline pursuant to ORS 678.442(2)(f) and OAR 851-063-0090(1)(a)(2)(a)(3)(a)(d)(4)(f) which reads as follows:

ORS 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.

OAR 851-063-0090 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 u(1) Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:

(1) Conduct, regardless of setting, related to general fitness to perform nursing assistant authorized duties:

(a) Demonstrated incidents of violent, abusive, neglectful or reckless behavior;

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

(a) Failing to conform to the essential standards of acceptable and prevailing nursing assistant performance of duties. Actual injury need not be established;

(3) Conduct related to client safety and integrity:

(a) Failing to take action to preserve or promote a person's safety based on nursing assistant knowledge, skills, and abilities;

(d) Jeopardizing the safety of a person under the CNA's care;

(4) Conduct related to communication:

(f) Failing to communicate information regarding a person's status to the supervising nurse or other appropriate member of the healthcare team in an on-going and timely manner and as appropriate to the context of care;

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 Amir Sabzalian 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 he engages in future conduct resulting in violations of law or the Nurse Practice Act, the Board may take further disciplinary action against his certificate, up to and including revocation of his certificate to practice as a Certified Nursing Assistant Certificate.

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 Reprimand.

Amir Sabzalian, CNA

Date

ORDER

IT IS SO ORDERED:

BOARD OF NURSING FOR THE STATE OF OREGON

Barbara Turnipseed, RN
Board President

Date

SIGNATURES & DATED COPY ON FILE IN BOARD OFFICE