

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of)	
)	Case # 2008-5012
Nelda Perez, CCA)	
)	
)	FINAL DEFAULT ORDER
)	SUSPENSION OF LICENSE
_____)	

The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state agency responsible for licensing, regulating and disciplining chiropractic physicians and certified chiropractic assistants in the State of Oregon. Nelda Perez (hereafter "CCA"), is a licensed certified chiropractic assistant in Oregon.

Findings of Fact

1.

On January 30, 2008 the OBCE received information that CCA had been dismissed from her position of employment due to stealing from the petty cash in the clinic. The investigation of this matter revealed that there was video taped evidence of this conduct. During the investigation of this matter, CCA did not provide her response to this conduct when requested by the Board. The Board made contact by phone and in writing and did not receive her response.

2.

On May 20, 2008, the Board sent via certified mail the Proposed Notice of License suspension. It was returned. On June 14, 2008, the same notice was sent regular mail. It was not returned to the Board office. In the notice, CCA was notified that if a hearing was not requested within the time provided, a default order would be taken.

Conclusions of Law

3.

The Board finds that the acts and conduct of CCA in her position at a medical clinic by stealing cash from her employer is a violation of the rules and warrants an indefinite suspension of her certificate. The above conduct is a violation of **OAR 811-010-0110(14)(a)** in that it is unprofessional or dishonorable conduct. In addition, CCA's failure to respond during the investigation is unprofessional conduct and failure to cooperate with the Board during an investigation. (OAR 811-035-0015(20)). In addition, the Board may also revoke, suspend or deny a certificate for unprofessional conduct pursuant to this rule.

The Board also finds that the conduct of Licensee while employed with this clinic to be in violation of ORS 684.100(1)(g)(A), (1)(d).

Order

4.

The Board orders that CCA is indefinitely suspended by the Board. CCA cannot act as a certified chiropractic assistant in Oregon while suspended.

DATED this July 7, 2008.

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

Original signatures on file
at the OBCE office.

By:

Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

A party is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court of Appeals pursuant to the provisions of ORS 183.482. Judicial review may be obtained by filing a petition for review with the Office of State Court Administrator, Supreme Court Building, Salem, Oregon 97310. ORS 183.482 requires that an appeal is requested by filing a petition in the Court of Appeals within 60 days following the date the order upon which the petition is based is served.

* * * * *

Nelda Perez CCA

I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the Oregon Board of Chiropractic Examiners, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice of Proposed Suspension is true to the best of my knowledge as I verily believe.

Original signature on file
at the OBCE office.

Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

SUBSCRIBED AND SWORN to before me

this 7th day of July, 2008

Original signatures on file
at the OBCE office.

NOTARY PUBLIC FOR OREGON

My Commission Expires: May 11, 2010



Certificate of Service

I, Dave McTeague, certify that on July 7, 2008, I served the foregoing Final Order by Default upon the party hereto by mailing, regular, a true, exact and full copy thereof to:

Nelda Perez, CCA
959 Oakwood St. NE
Keizer, OR 97303

 Original signature on file
at the OBCE office

Dave McTeague
Executive Director
Oregon Board of Chiropractic Examiners