

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

<i>In the Matter of the Appeal</i>)	
<i>of Charla Dinnocenzo from the</i>)	
<i>Hearings Officer's Order</i>)	ORDER
<i>Revoking Appellant's Adult</i>)	94-157
<i>Care Home License</i>)	

On July 28, the Board of County Commissioners completed its review of the evidence and argument regarding the appeal of Charla Dinnocenzo from a determination of the Hearings Officer that Ms. Dinnocenzo has a "psychiatric or psychological problem ... which compromises ... her ability to operate or provide care in an Adult Care Home".

Based on the findings contained in the Hearings Officers Order on the Appeal of Charla Dinnocenzo, Hearing No. 133177 dated 2/18/94, the psychiatric examination report prepared by Dr. Ronald N. Turco dated 5/24/94, and the County Counsel's rebuttal to appellant's exceptions, the Board denies the appeal and accepts the decision of the Hearings Officer.

The Board also hereby interprets MCAR 890-080-120 (k)(C) as allowing imposition of administrative sanctions based upon a medical, psychiatric, or psychological problem that compromised the licensee's ability to operate or provide care in an Adult Care Home even if the problem is not a specific DSM-III diagnosis. It the intent of the MCAR was to require a specific DSM-III diagnosis by licensed professional, the MCAR would have clearly stated that requirement. Such a diagnosis is not called for in the MCAR, and is not required to provide a basis for sanctions under this provision. The facts established in this case are sufficient to establish a medical, psychiatric or psychological problem of sufficient seriousness to warrant the sanction of license revocation.

The Board finds, based on the psychological evaluation prepared by Dr. Turco, that the licensee may qualify for re-licensure after resolving issues that contribute to her psychological problem. The public interest would be served by permitting the Ms. Dinnocenzo to re-apply for a license after a minimum six month waiting period, such re-application to be accompanied by an updated evaluation report from Dr. Turco.

IT IS HEREBY ORDERED that the decision of the Hearings Officer on the Appeal of Charla Dinnocenzo (Hearing No. 133117 dated 2/18/94) is ACCEPTED, with the CONDITION that Ms. Dinnocenzo may re-apply for a license after a minimum six month waiting period, such re-application to be accompanied by an updated evaluation report from Dr. Turco.

Review of this Final Order may be taken solely and exclusively by writ of review in the manner set forth in ORS 34.020 to ORS 34.100.

APPROVED this 1st day of September, 1994.



MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein
Multnomah County, Chair

REVIEWED:

PETER KASTING, SPECIAL COUNSEL
for MULTNOMAH COUNTY, OREGON

By *Peter Kasting*
Peter Kasting