

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **HOLLY ELIZABETH GONZALEZ-SPINKS, C.N.A.**
License Number: 1401-158332
Case Number: 178835

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Holly Elizabeth Gonzalez-Spinks, C.N.A., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Gonzalez-Spinks' certificate to practice as a nurse aide in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Holly Elizabeth Gonzalez-Spinks, C.N.A., was issued Certificate Number 1401-158332 to practice as a nurse aide on February 20, 2013, which is scheduled to expire on February 28, 2018.
2. Ms. Gonzalez-Spinks violated Virginia Code § 54.1-3007(5) in that during the course of her employment at The Springs Nursing Center – Kissito Healthcare, Inc., Hot Springs, Virginia, on January 28, 2017, she failed to provide pericare during morning rounds to two residents that were assigned to her.
3. Ms. Gonzalez-Spinks reported that both residents required the use of a Hoyer lift and that there were no staff members available to assist her; however, she failed to notify the charge nurse of this.
4. Ms. Gonzalez-Spinks had previously received a written warning on October 27, 2016, for failing to have two persons present for a Hoyer lift. She also received in-service training.

CONSENT

Holly Elizabeth Gonzalez-Spinks, C.N.A., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my certificate except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my certification to practice as a nurse aide in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Holly Elizabeth Gonzalez-Spinks, C.N.A., is REPRIMANDED.
2. Ms. Gonzalez-Spinks shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

Jay Douglas
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED: November 9th, 2017

SEEN AND AGREED TO:

Holly Gonzalez-Spinks
Holly Elizabeth Gonzalez-Spinks, C.N.A.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Alleghany, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 2nd day of November, 2017.

ADAM K. BROUGHMAN
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7698798
My Commission Expires 11/30/2020

AKB
Notary Public

My commission expires: 11/30/2020

Registration No.: 7698798

Certified True Copy
By [Signature]
Virginia Board of Nursing