

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SUSAN ANNE SHIFFLETT, C.N.A.
Certificate Number: 1401-171083
Case Number: 171956

RATIFICATION AND ORDER


On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Susan Anne Shifflett, C.N.A., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Since Ms. Shifflett failed to appear at the informal conference, this Order shall be considered final. Ms. Shifflett has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Shifflett has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD



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

ENTERED AND MAILED ON:

July 28TH, 2017

Certified True Copy

By 

Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SUSAN ANNE SHIFFLETT, C.N.A.
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 9, 2017 in Henrico County, Virginia, to inquire into evidence that Susan Anne Shifflett, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Shifflett did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated April 11, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Shifflett notifying her that an informal conference would be held on April 11, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was returned to the Board marked “unclaimed.” The Notice sent by first class mail was not returned to the Board office. The Notice was also sent by certified and first class mail to 4466 James Madison Hwy., Gordonsville, Virginia 22542, a secondary address. The Notice sent by certified mail was returned to the Board marked “no mail receptacle; unable to forward.” The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Shifflett and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Susan Anne Shifflett, C.N.A., was issued Certificate Number 1401-171083 to practice as a nurse aide on December 17, 2014, which is scheduled to expire on December 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Ms. Shifflett violated Virginia Code § 54.1-3007(5) in that during the course of her employment with Mary Washington Healthcare, Fredericksburg, Virginia, on December 17, 2015, while assigned to provide 1:1 supervision to a patient who was disoriented and considered a high risk for self-injury, during the 7:00 p.m. to 7:00 a.m. shift, she briefly fell asleep while on duty.

3. Ms. Shifflett denied being asleep; however, the incident was witnessed by two professional nurses.

4. There was no patient harm.

5. Ms. Shifflett was employed with Mary Washington Healthcare on November 9, 2015, and her employment was terminated on December 23, 2015.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Susan Anne Shifflett, C.N.A., is REPRIMANDED.
2. Susan Anne Shifflett, C.N.A., shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Reviewed and approved on May 25, 2017
By Jane Elliott, R.N., Ph.D.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing