

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE:           **CHELSHEA D. BROWN, C.N.A.**  
                    **Certificate Number: 1401-156542**  
                    **Case Number: 177560**

**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. Chelshea D. Brown, 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.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Brown's health records or health services.

Since Ms. Brown failed to appear at the informal conference, this Order shall be considered final. Ms. Brown 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. Brown 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*  
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for Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

**Certified True Copy**

By *[Signature]*  
\_\_\_\_\_  
Virginia Board Of Nursing

ENTERED AND MAILED ON:

*July 26, 2017*  
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**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           CHELSHEA D. BROWN, C.N.A.**  
**Certificate Number: 1401-156542**  
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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**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 April 20, 2017 in Henrico County, Virginia, to inquire into evidence that Chelshea D. Brown, C.N.A., may have violated certain laws governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Brown 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 March 20, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Brown notifying her that an informal conference would be held on April 20, 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 delivered on March 23, 2017. 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. Brown and the informal conference proceeded in her absence.

### Recommended Findings of Fact and Conclusions of Law

1. Chelshea D. Brown, C.N.A., was issued Certificate Number 1401-156542 to practice as a nurse aide on November 7, 2012, which is scheduled to expire on November 30, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Ms. Brown violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice as a certified nurse aide due to mental illness and admitted substance abuse, as evidenced by the following:
  - a. On November 6, 2016, Ms. Brown was transported to Carilion Roanoke Memorial Hospital, Roanoke, Virginia, by the Vinton, Virginia, police due to an Emergency Custody Order (“ECO”) after threatening suicide, and being observed by the police burning herself with a lighter. Ms. Brown was subsequently transferred, by a Temporary Detention Order (“TDO”), to Poplar Springs Hospital, Petersburg, Virginia, and admitted with a diagnosis of mood disorder, unspecified, rule out post-traumatic stress disorder, and marijuana use, mild.
  - b. On January 6, 2017, Ms. Brown was admitted by ECO to Carilion Roanoke Memorial Hospital following a suicide attempt, in which she ingested nine tramadol (C-IV). She was transferred by TDO to Carilion Roanoke Rehabilitation for inpatient treatment. Ms. Brown was discharged with a diagnosis of unspecified bipolar disorder and borderline personality disorder.
  - c. Ms. Brown used marijuana frequently to calm herself down. She admitted using marijuana approximately three hours before reporting to work at Lewis Gale Medical Center, Salem, Virginia.
3. On January 23, 2017, during her interview with the investigator for the Department of Health Professions, Ms. Brown’s counselor with Wyndhurts Counseling Center, Roanoke, Virginia,

opined that Ms. Brown should not practice as a certified nurse aide in a full-time capacity, but could work part-time.

4. Ms. Brown stated to the investigator that she has an alternate dark personality named "Harley," which causes Ms. Brown to act inappropriately. Ms. Brown stated that it was Harley that attempted to choke her boyfriend on the evening before she was taken by the police to Carilion Roanoke Memorial Hospital pursuant to an Emergency Custody Order.

5. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Brown's health records or health services.

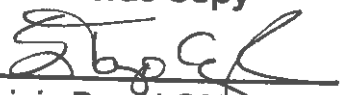
#### **Recommended Order**

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

1. The certificate issued to Chelshea D. Brown, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The certificate of Ms. Brown will be recorded as SUSPENDED.
3. Should Ms. Brown seek reinstatement of her certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Brown to demonstrate that she is safe and competent to return to the practice of certified nurse aides. Ms. Brown shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

Reviewed and approved on May 22, 2017  
By Jane Elliott, R.N., Ph.D.  
Agency Subordinate

Certified True Copy

By   
Virginia Board Of Nursing