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JUN 15 2017

BEFORE THE VIRGINIA BOARD OF NURSING

VA BD OF NURSING

IN RE: **MARIAH L ABERNATHY, C.N.A.**
Certification Number: 1401-174553
Case Number: 174018

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Mariah L. Abernathy, 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. Abernathy's certificate to practice as a nurse aide in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Mariah L. Abernathy, C.N.A., was issued Certificate Number 1401-174553 to practice as a nurse aide on June 19, 2015, which is scheduled to expire on June 30, 2017.
2. Ms. Abernathy violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides in that during the course of her employment at CJW Medical Center, Richmond, Virginia, on May 15 and 17, 2016, Ms. Abernathy documented that she had taken the temperatures of ten patients when she had not actually done so.
3. CJW Medical Center terminated Ms. Abernathy's employment.

CONSENT

Mariah L. Abernathy, 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; the right to representation by counsel; and the right to cross-examine witnesses against me;

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. Mariah L. Abernathy, C.N.A., is REPRIMANDED.

2. Mariah L. Abernathy, C.N.A., shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

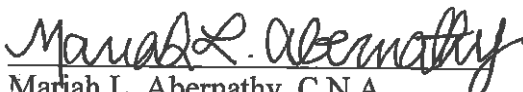
Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


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

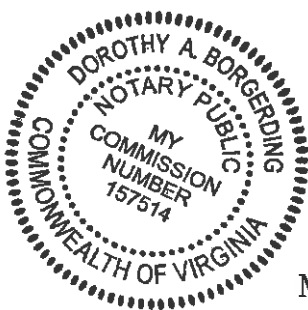
ENTERED: June 22, 2017

SEEN AND AGREED TO:


Mariah L. Abernathy, C.N.A.

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

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
13th day of June, 2017.




Notary Public


My commission expires:

4-30-2018

Registration No.:

157514

Certified True Copy

By 
Virginia Board Of Nursing