

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: MONIQUE J. CORNISH, C.N.A.**  
**Certificate Number: 1401-076587**  
**Case Number: 154527, 170520**

**RATIFICATION AND ORDER**


On March 22, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Monique J. Cornish, C.N.A., submitted written comments.

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. Cornish failed to appear at the informal conference, this Order shall be considered final. Ms. Cornish 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. Cornish 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 P. 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

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

ENTERED AND MAILED ON:

  
\_\_\_\_\_  
April 3<sup>rd</sup>, 2017

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing

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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), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on February 8, 2017 in Henrico County, Virginia, to inquire into evidence that Monique J. Cornish, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Cornish 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 January 11, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Cornish notifying her that an informal conference would be held on February 8, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. Neither the receipt for the Notice sent via certified mail nor the certified mail was returned to the Board office. The Notice sent via first-class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Cornish and the informal conference proceeded in her absence.

### **Recommended Findings of Fact and Conclusions of Law**

1. Monique J. Cornish, C.N.A., was issued Certificate Number 1401-076587 to practice as a nurse aide on January 16, 1999, which is scheduled to expire on January 31, 2018. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Ms. Cornish violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-25-100(e) of the Regulations Governing Certified Nurse Aides in that during the course of her employment with Envoy of Stratford Hills, Richmond, Virginia:

a. On October 23, 2015, by her own admission, Ms. Cornish grabbed and twisted an alert and oriented resident's arm when the resident attempted to strike her. Ms. Cornish stated in her interview with the investigator for the Department of Health Professions that she did so to prevent the resident from hitting her.

b. On December 8, 2013 Ms. Cornish spoke inappropriately to a resident and roughly handled him when putting him to bed.

3. Ms. Cornish's employment with Envoy of Stratford Hills was terminated.

4. Finding of Fact and Conclusion of Law No. 2 constitutes a Finding of Abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

### **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 of Monique J. Cornish, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.

2. The certificate of Monique J. Cornish, C.N.A., will be recorded as REVOKED.

3. A Finding of Abuse shall be ENTERED against Monique J. Cornish, C.N.A., in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Cornish's employment as a certified nurse aide in any long-term care facility that receives Medicare or Medicaid reimbursement, according to 42 CFR § 483.13(c)(1)(ii)(B).

Reviewed and approved on March 9, 2017  
By Nancy Durrett, R.N., M.S.  
Agency Subordinate