

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: RAY JONES, C.N.A.

Certificate Number: 1401-131614

Case Number: 170004

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. Ray Jones, C.N.A., was not present nor was he 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 Mr. Jones failed to appear at the informal conference, this Order shall be considered final. Mr. Jones 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, Mr. Jones has thirty days from the date of service (the date he actually received this decision or the date it was mailed to him, 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:

March 30th, 2017

Certified True Copy

By 

Virginia Board Of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: RAY JONES, C.N.A.
Certificate Number: 1401-131614
Case Number: 170004

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on January 10, 2017, in Henrico County, Virginia, to inquire into evidence that Ray Jones, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Mr. Jones 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 December 7, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Mr. Jones notifying him that an informal conference would be held on January 10, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. Neither the certified mail nor the certified mail receipt was returned to the Board office. 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 Mr. Jones and the informal conference proceeded in his absence.

Recommended Findings of Fact and Conclusions of Law

1. Ray Jones, C.N.A., was issued Certificate Number 1401-131614 to practice as a nurse aide on July 29, 2009, which is scheduled to expire on July 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Mr. Jones violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-25-100(2)(d) and (e) of the Regulations Governing Certified Nurse Aides in that during the course of his employment with Kindred at Home, Norfolk, Virginia, from July 27, 2015 to August 15, 2015, Mr. Jones documented 19 client visits; however, he failed to actually visit the clients. Further, Mr. Jones falsely documented vital signs and interventions and forged the patients' and/or caregivers' signatures in the medical records. This constitutes a Finding of Neglect pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D).
3. Mr. Jones' employment was terminated on August 21, 2015. Mr. Jones did not respond to requests for an interview by the Department of Health Professions' investigator.

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 Ray Jones, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.
2. The certificate of Ray Jones, C.N.A., will be recorded as REVOKED.
3. A Finding of Neglect shall be ENTERED against Ray Jones, 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 Mr. Jones' 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 February 8, 2017
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate