

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KARA ELLER, C.N.A.

Certificate Number: 1401-163580

Case Number: 172314

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. Kara Eller, 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.

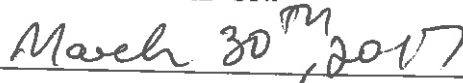
Pursuant to Virginia Code § 54.1-2400(10), Ms. Eller may, not later than 5:00 p.m., on **May 2, 2017**, notify Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

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

This Order shall become final on May 2, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing

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IN RE: KARA ELLER, 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), 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 Kara Eller, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Eller appeared 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 Ms. Eller notifying her 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.

Recommended Findings of Fact and Conclusions of Law

1. Kara Eller, C.N.A., was issued Certificate Number 1401-163580 to practice as a nurse aide on November 7, 2013, 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. Eller violated Virginia Code § 54.1-3007(5) in that during the course of her employment at Francis Marion Manor, Marion, Virginia, on January 19, 2016:

a. After Resident A threw a soiled incontinent garment, Ms. Eller placed the resident in a chair against her wishes. Ms. Eller denied that the resident voiced that she didn't want to go to the chair as Ms. Eller was cleaning the bed. There was no patient harm.

b. Ms. Eller made a statement in the presence of a resident and two nurse aides that it was "messed up" how the residents get to lay around and eat two meals a day, but she could not take a break.

3. Ms. Eller's employment was terminated on February 22, 2016. She is currently employed as a pharmacy technician at Southern Pharmacy.

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. Kara Eller, C.N.A., is REPRIMANDED.
2. Kara Eller, 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 February 8, 2017
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate