

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MELODY DARNELLA CLIFTON, C.N.A.
Certificate Number: 1401-152060
Case Number: 172301

RATIFICATION AND ORDER

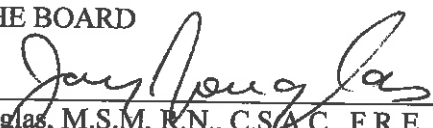
On March 22, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Melody Darnella Clifton, C.N.A., was not present nor was she represented by legal counsel.

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.

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

ENTERED AND MAILED ON:

March 29th 2017

Certified True Copy

By 

Virginia Board Of Nursing

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IN RE: MELODY DARNELLA CLIFTON, C.N.A.
Certificate Number: 1401-152060
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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 Melody Darnella Clifton, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Clifton 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, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Clifton 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. The certified mail receipt was signed and 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 Ms. Clifton and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Melody Darnella Clifton, C.N.A., was issued Certificate Number 1401-152060 to practice as a nurse aide on May 2, 2012, which is scheduled to expire on May 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Ms. Clifton violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides in that during the course of her employment with St. Francis Nursing Center, Newport News, Virginia:

a. On February 12, 2016, Ms. Clifton provided ADL care to Resident A by herself instead of with the assistance of another staff member, as required.

b. On February 14, 2016, Ms. Clifton was assigned to work from 7:00 a.m. to 3:30 p.m. Ms. Clifton abandoned her assignment and patient care in that she clocked out at 1:43 p.m., left the building and did not return and she failed to notify anyone that she would not be returning.

3. When questioned by management, Ms. Clifton stated that she had transferred Resident A with the help of another person; however, she left a message the following day that she had lied and did transfer the resident alone and resigned her employment.

4. On April 19, 2010, in the Daleville, Alabama, Municipal Court, Ms. Clifton was convicted of driving while under the influence of alcohol.

5. Ms. Clifton violated Virginia Code § 54.1-3007(1) and 18 VAC 90-25-100(1)(b) of the Regulations in that although Ms. Clifton had the above-referenced conviction, she falsely answered “no” to the question regarding convictions on her application for nurse aide certification by endorsement dated March 14, 2012.

6. Ms. Clifton violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations in that she falsely answered “no” to the question regarding convictions on her application

for employment with St. Francis Nursing Center dated October 21, 2015, when she had the above-referenced conviction.

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. Melody Darnella Clifton, C.N.A., is REPRIMANDED.
2. Melody Darnella Clifton, 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