

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KENDRA N. TARPLEY, C.N.A.

Certificate Number: 1401-157488

Case Number: 169080

RATIFICATION AND ORDER

On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Kendra N. Tarpley, 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. Tarpley may, not later than 5:00 p.m., on **March 13, 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.

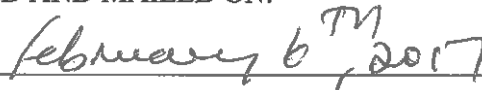
Executive Director

Virginia Board of Nursing

Certified True Copy

By  _____
Virginia Board Of Nursing

ENTERED AND MAILED ON:



This Order shall become final on March 13, 2017, unless a request for a formal administrative hearing is received as described above.

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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), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on December 1, 2016 in Henrico County, Virginia, to inquire into evidence that Kendra N. Tarpley, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Tarpley appeared at this proceeding and was represented by Terry Kilgore, Esquire.

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 September 7, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Tarpley notifying her that an informal conference would be held on October 4, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. On September 21, 2016, Ms. Tarpley requested and received a continuance. By letter dated September 28, 2016, the Board notified Ms. Tarpley that the informal conference was rescheduled and would be held on December 1, 2016.

Recommended Findings of Fact and Conclusions of Law

1. Kendra N. Tarpley, C.N.A., was issued Certificate Number 1401-157488 to practice as a nurse aide on January 9, 2013, 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. Tarpley violated Virginia Code § 54.1-3007(5) in that during the course of her employment at Lee Health and Rehabilitation Center, Pennington Gap, Virginia, on August 1, 2015, Ms. Tarpley was rough with Resident A, an Alzheimer's patient, while turning and repositioning the resident in bed. When Resident A complained of the treatment she was receiving, Ms. Tarpley repeatedly told Resident A to be quiet or she would fall on the floor.

3. The incident was witnessed by another nurse aide working in the next bed, who immediately reported it to the charge nurse. Ms. Tarpley admitted to the administrator that she was aggravated, busy and rushed.

4. Ms. Tarpley was hired on October 1, 2013, and her employment was terminated on August 6, 2015.

5. Ms. Tarpley has been employed at Ridge Crest Manor since August 2015, and they are aware of her appearance before the Board. Ms. Tarpley submitted five letters of reference, including letters from two co-workers at Ridge Crest Manor.

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. Kendra N. Tarpley, C.N.A., is REPRIMANDED.

2. Kendra N. Tarpley, 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 January 4, 2017
By Jane Elliott, R.N., Ph.D.
Agency Subordinate