

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JASMYNE M. MABLE, C.N.A.
License Number: 1401-151276
Case Number: 170652

RATIFICATION AND ORDER

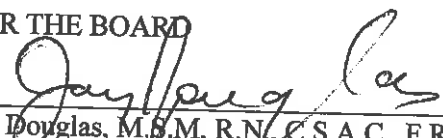
On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Jasmyne M. Mable, C.N.A., was not present nor was she represented by legal counsel.

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. Mable failed to appear at the informal conference, this Order shall be considered final. Ms. Mable 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. Mable 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, MSM, RN, CSAS, FRE, 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.

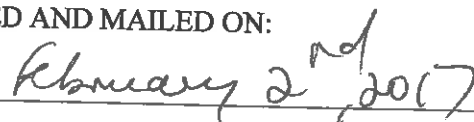
FOR THE BOARD


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

Certified True Copy

By 
Virginia Board Of Nursing

ENTERED AND MAILED ON:


February 2nd, 2017

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JASMYNE M. MABLE, C.N.A.
License Number: 1401-151276
Case Number: 170652

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on November 1, 2016 in Henrico County, Virginia, to inquire into evidence that Jasmyne M. Mable, C.N.A., may have violated certain laws and regulations governing the practice of as a certified nurse aide in the Commonwealth of Virginia.

Ms. Mable 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 October 4, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Mable notifying her that an informal conference would be held on November 1, 2016. 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. 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. Mable and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Jasmyne M. Mable, C.N.A., was issued License Number 1401-151276 to practice as a certified nurse aide on March 22, 2012, which is scheduled to expire on March 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Ms. Mable violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides in that, during the course of her employment with Seniorcorp, Virginia Beach, Virginia, on July 3, 2015, while caring for a patient who required complete bedside care 24 hours per day for 7 days a week, Ms. Mable clocked out before her relief arrived, and without notifying the agency or the patient's husband that she was leaving.
3. The patient was left without appropriate nursing care for approximately three hours.
4. Ms. Mable's employment with Seniorcorp was terminated on July 6, 2015.
5. The investigator was unsuccessful in efforts to obtain a statement from Ms. Mable, including multiple phone calls and multiple emails. On one occasion Ms. Mable spoke with the investigator but refused to answer questions.

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 issued to Jasmyne M. Mable, C.N.A., to practice as a certified nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than (1) year from the date of entry of this Order.
2. The certificate of Jasmyne M. Mable, C.N.A., will be recorded as SUSPENDED.
3. Should Jasmyne M. Mable, C.N.A., seek reinstatement of her certificate, an administrative proceeding shall be convened to consider such application. At such time, the

burden shall be on Ms. Mable to demonstrate that she is safe and competent to return to practice as a certified nurse aide. Ms. Mable shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

4. A Finding of Neglect shall be ENTERED against Jasmyne M. Mable, 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. Mable'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).

5. Since this Finding of Neglect was based on a singular occurrence, Jasmyne M. Mable, C.N.A., is eligible to petition the Board for removal of the Finding of Neglect one time, after a period of one year from the date of entry of this Order, if she can demonstrate that her employment and personal history do not reflect a pattern of abusive behavior or neglect.

Reviewed and approved on December 1, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate