

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ALESHIA WHITE, C.N.A.
Certificate Number: 1401-141337
Case Number: 171459

RATIFICATION AND ORDER

On November 16, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Aleshia White, 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 § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. White's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. White may, not later than 5:00 p.m., on **December 26, 2016**, notify Jay Douglas, MSM, RN, CSAC, FRE, 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:

December 23, 2016

This Order shall become final on December 26, 2016, 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: ALESHIA WHITE, 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 October 4, 2016 in Henrico County, Virginia, to inquire into evidence that Aleshia White, C.N.A., may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. White 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 September 7, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. White 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.

Recommended Findings of Fact and Conclusions of Law

1. Aleshia White, C.N.A., was issued Certificate Number 1401-141337 to practice as a nurse aide on November 24, 2010, which is scheduled to expire on November 30, 2016. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Aleshia White, C.N.A., violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a nurse aide due to mental illness and substance abuse, as evidenced by the following:

a. On December 19, 2015, Ms. White was admitted to Centra Health, Virginia Baptist Hospital, Lynchburg, Virginia (“VBH”), with a diagnosis of bipolar disorder and polysubstance abuse to include opiates. Ms. White was admitted to the Mundy-3 Unit for safety and security of herself and others. A drug screen performed upon Ms. White’s admission was positive for methamphetamines.

b. On February 16, 2015, Ms. White was admitted to VBH from Centra Bedford Memorial Hospital, Bedford, Virginia, on a temporary detention order (“TDO”) with a diagnosis of bipolar disorder and opiate dependence, continuous.

3. Ms. White admitted at the informal conference that she has suffered from depression for many years and has also abused opiates.

4. Ms. White stated that she has been under the care of Horizon Behavioral Health, Bedford, Virginia, prior to and after her February, 2015 discharge from VBH. Ms. White has attended one-on-one therapy, group therapy and Narcotics Anonymous. She has seen a psychologist for therapy since 2014 for depression, anxiety, bipolar disorder and substance abuse. She stated her psychologist believes working and keeping busy would benefit her.

5. Ms. White sees a psychiatrist with Horizon Behavioral Health for medication management.

6. Ms. White stated that her sobriety date is March 2, 2016.

7. Ms. White stated that she is currently employed with Berkshire Health and Rehabilitation Center, Vinton, Virginia, and has been employed there full-time since April 22, 2016.

8. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. White's health records or health services.

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. Aleshia White, C.N.A., is placed on INDEFINITE PROBATION subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. White has completed two years of active nurse aide practice.

b. The certificate shall be reinstated without restriction at the completion of the probationary period unless there is a pending investigation or unresolved allegation involving a violation of law or regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely until such time as the Board makes a case decision in accordance with the Administrative Process Act (Virginia Code § 2.2-4000 *et seq.*) and Virginia Code § 54.1-2400(9).

2. Ms. White shall have one supervised, observed, random drug screen per quarter, from a Board approved testing entity, which includes testing for alcohol and the following drug of choice: opiates. Ms. White shall ensure that the first set of results is received by the Board no later than 60 days from the date this Order is entered. Subsequent results must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. The Board shall be notified immediately in writing of any positive results or if Ms. White refuses to give a specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

3. Ms. White shall provide her current and each future employer immediately upon employment with a copy of this Order in its entirety.

4. Ms. White shall ensure that her supervisor shall provide quarterly reports to the Board regarding Ms. White's overall performance. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from entry of this Order and subsequent reports due the last day of the months of March, June, September and December until Ms. White and the individual specified above are notified, in writing, that the reporting requirement is ended.

5. Ms. White shall ensure that her therapist shall provide quarterly reports to the Board regarding Ms. White's progress in therapy. Ms. White shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from entry of this Order and subsequent reports due the last day of the months of March, June, September and December until Ms. White and the individual specified above are notified, in writing, that the reporting requirement is ended.

6. Ms. White shall sign all required medical releases and authorization forms within 60 days of the date of entry of this Order allowing for unrestricted communication between and among the Board and her employer and potential and intended employer(s) and her current and future treating healthcare provider(s).

7. Ms. White shall, within 45 days of the date of entry of this Order return all copies of her current certificate, along with any required fee, to the Board office, and the Board shall issue Aleshia White, C.N.A., a certification marked "Probation with Terms."

8. Ms. White shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

9. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nurse aides shall constitute grounds for further disciplinary action.

10. Failure to comply with all terms and conditions of this Order within five years of the date of entry of the Order may be reason for revoking or suspending the certificate of Ms. White and an administrative proceeding shall be held to determine whether to impose such action.

11. This Order shall remain in effect until the Board has notified Ms. White in writing that she is released from probation.

Reviewed and approved on October 20, 2016
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate