

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SAVANNAH PARKS, C.N.A.
Certificate Number: 1401-160588
Case Number: 168705

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), an Agency Subordinate of the Virginia Board of Nursing (“Board”) held an informal conference on September 8, 2016 in Henrico County, Virginia, to inquire into allegations that Savannah Parks, C.N.A., may have violated certain laws and regulations governing the practice of certified nurse aides in Virginia.

Ms. Parks did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated August 10, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Parks notifying her that an informal conference would be held on September 8, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The receipt for the Notice sent via certified mail was signed by a third party and returned to the Board office on August 17, 2016. The Notice sent via first-class mail was not returned to the Board office. Additionally, Ms. Parks called the Board office on August 18, 2016 inquiring whether she was required to attend the informal conference. The Agency Subordinate concluded that adequate notice was provided to Ms. Parks and the informal conference proceeded in her absence.

BOARD'S CONSIDERATION OF AGENCY SUBORDINATE'S RECOMMENDATION

The Board met regarding this matter on November 16, 2016. Ms. Parks was not present nor was she represented by legal counsel. In consideration whereof, the Board makes the following Findings of Fact and Conclusions of Law and issues the ORDER contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Savannah Parks, C.N.A., was issued Certificate Number 1401-160588 to practice as a nurse aide on June 4, 2013, which is scheduled to expire on June 30, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Ms. Parks 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 Commonwealth Assisted Living, Abingdon, Virginia, on June 12, 2015, she left work at the beginning of her 3:00 p.m. to 11:00 p.m. shift, after accepting her patient assignment and without telling anyone or without obtaining authorization. She did not return and failed to ensure that her assigned patients had proper care and supervision before leaving.
3. When subsequently reached by phone by her supervisor, Ms. Parks stated that she had quit.
4. Ms. Parks' two-week-long employment was considered voluntarily terminated. There was no patient harm or adverse consequences as a result of Ms. Parks' actions.
5. Investigative information revealed Ms. Parks was employed at Grandview Residential Living in 2013 and re-employed there in August 2015 after her employment at Commonwealth.
6. Finding of Fact and Conclusion of Law No. 2 constitutes a finding of neglect based on a single incident, pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER


Based on the foregoing Findings of Fact and Conclusions of Law, the Board Orders as follows:

1. The certificate issued to Savannah Parks, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The certificate of Savannah Parks, C.N.A., will be recorded as SUSPENDED.
3. Should Savannah Parks, 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. Parks to demonstrate that she is safe and competent to return to nurse aide practice. Ms. Parks 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 Savannah Parks, 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. Parks' 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, Savannah Parks, 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.

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. Parks failed to appear at the informal conference, this Order shall be considered final. Ms. Parks 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. Parks 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, MSM, RN, CSAC, 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:



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

ENTERED AND MAILED ON:

November 23, 2016

Certified True Copy
By 

Virginia Board Of Nursing