

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TREVA M GARNER, L.P.N.
License Number: 0002-063130
Case Number: 171819

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Treva M Garner, L.P.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Garner's license to practice practical nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Treva M Garner, L.P.N. was issued License Number 0002-063130 to practice practical nursing on February 6, 2002, which is scheduled to expire on April 30, 2017. Her primary state of residence is Virginia
2. Ms. Garner violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(j) and (l) of the Regulations Governing the Practice of Nursing ("Regulations") in that during the course of her employment with Westminster Canterbury, Lynchburg, Virginia, between 2012 and January 2016, she entered into a personal relationship with an elderly resident that constituted a boundary violation, and she obtained approximately \$12,000 from the resident.
3. Ms. Garner's employment with Westminster Canterbury was terminated on January 22, 2016.
4. Ms. Garner violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on an application for employment with Bentley Commons at Lynchburg, dated

February 23, 2016, she stated that her reason for leaving Westminster Canterbury was "12 hour night shift," when, in fact, her employment with Westminster Canterbury had been terminated.

CONSENT

Treva M Garner, L.P.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I neither admit nor deny the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to practice practical nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Treva M Garner, L.P.N., is REPRIMANDED.
2. Treva M Garner, L.P.N., is assessed a MONETARY PENALTY of \$250.00. This penalty shall be paid to the Board by certified check or money order made payable to the Treasurer of Virginia within 90 days from the date of entry of this Order. Failure to pay the full monetary penalty

by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.


3. Within 60 days from the date of entry of this Order, Treva M Garner, L.P.N., shall provide written proof satisfactory to the Board of successful completion of the following NCSBN courses: *Professional Boundaries in Nursing* and *Professional Accountability & Legal Liability for Nurses*. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

4. Treva M Garner, L.P.N., shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

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

Pursuant to Virginia Code §§ 2.2-4023 and 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.

FOR THE BOARD


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

ENTERED: November 18th

Certified True Copy

By 
Virginia Board of Nursing

SEEN AND AGREED TO:

Treva M. Garner
Treva M Garner, L.P.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Campbell, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
15th day of November, 2016.



Kathryn Michelle Owen
Notary Public

My commission expires: 01-31-19

Registration No.: 7500908

Certified True Copy
By [Signature]
Virginia Board of Nursing