

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KARLA Y. HENRY, L.P.N.
License No.: 0002-085721

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on December 3, 2015, in Henrico County, Virginia. Ms. Henry was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Henry was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Karla Y. Henry, L.P.N. was issued License No. 0002-085721 to practice practical nursing in Virginia on September 13, 2011. The license is scheduled to expire on December 31, 2016. Ms. Henry's primary state of residence is Virginia.

2. By letter dated November 4, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Henry notifying her that an informal conference would be held on December 3, 2015. The Notice was sent by certified and first class mail to 1412 Linden Street, Front Royal, Virginia 22630, the address of record on file with the Board of Nursing. According to the USPS online tracking, delivery of the Notice sent by certified mail was attempted on November 6, 2015, but

failed because no authorized recipient was available. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Henry and the informal conference proceeded in her absence.

3. During the course of her employment with BestCare Home Care Home Health Agency, Winchester, Virginia, on February 13, 2015, Ms. Henry documented visiting and providing care to two patients, but she failed to actually do so. The two patients were alert and oriented and stated that Ms. Henry did not come as documented.

4. In an interview with the investigator for the Department of Health professions, Ms. Henry stated that she could not remember these specific visit dates. She denied intentionally falsifying the documentation, but said that it could have been a mistake.

5. As a result of this incident, Ms. Henry's employment was terminated on February 17, 2015.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and VAC90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

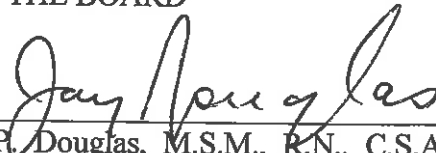
1. Karla Y. Henry, L.P.N., is hereby REPRIMANDED.
2. Ms. Henry shall maintain a course of conduct in her capacity as a licensed practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 54.1-2400.2 of the Code, 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. Henry failed to appear at the informal conference, this Order shall be considered final. Ms. Henry 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. Henry has thirty (30) 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, M.S.M., R.N., C.S.A.C., F.R.E., 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 (3) days are added to that period.

FOR THE BOARD



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

Entered: February 9th, 2016

Certified True Copy

By 

Virginia Board Of Nursing