

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TERISA LYNN PIERCE, C.N.A.
Certificate Number: 1401-033938
Case Number: 169694

RATIFICATION AND ORDER

On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Terisa Lynn Pierce, 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. Pierce failed to appear at the informal conference, this Order shall be considered final. Ms. Pierce 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. Pierce 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, 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 days are added to that period.

FOR THE BOARD

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

ENTERED AND MAILED ON:

October 4, 2016

Certified True Copy

By *S. P. Smith*
Virginia Board Of Nursing

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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), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on August 24, 2016 in Henrico County, Virginia, to inquire into evidence that Terisa Lynn Pierce, C.N.A. may have violated certain laws governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Pierce 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 July 14, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Pierce notifying her that an informal conference would be held on August 24, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. On August 2, 2016, the Notice sent by certified mail was returned to the Board office marked “Unable to Forward.” As of August 24, 2016, 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. Pierce and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Terisa Lynn Pierce, C.N.A. was issued Certificate Number 1401-033938 to practice as a nurse aide on October 17, 1992, which is scheduled to expire on October 31, 2016. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Ms. Pierce violated Virginia Code § 54.1-3007(4) in that she has been convicted of the following misdemeanors involving moral turpitude:

a. On October 22, 2012, Ms. Pierce was convicted of one count of shoplifting in the General District Court of Winchester, Virginia.

b. On March 31, 2015, Ms. Pierce was convicted of two counts of shoplifting in the General District Court for Frederick County, Virginia.

3. The above convictions were not related to her patient care.

4. Ms. Pierce has worked primarily as a private duty nurse aide. Several of her past employers were interviewed by the investigator for the Department of Health Professions, and they all spoke positively about Ms. Pierce's abilities and trustworthiness.

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. Terisa Lynn Pierce, C.N.A., is REPRIMANDED.

2. Ms. Pierce shall comply with all laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia

Reviewed and approved on August 31, 2016
By Jane Elliott, R.N., Ph.D.
Agency Subordinate