

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           PATRICIA CHURCH, C.N.A.**  
**Certificate Number: 1401-140231**  
**Case Number:         173125**

**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. Patricia Church, C.N.A. was not present nor was she represented by legal counsel.

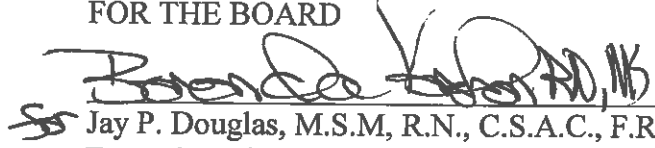
In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

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. Church's health records or health services.

Since Ms. Church failed to appear at the informal conference, this Order shall be considered final. Ms. Church 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. Church 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

  
SS 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:

Oct 3, 2016

Certified True Copy

By   
Virginia Board Of Nursing

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**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 Patricia Church, C.N.A. may have violated certain laws governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Church 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 June 8, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Church 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 4, 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. Church and the informal conference proceeded in her absence.

**Recommended Findings of Fact and Conclusions of Law**

1. Patricia Church, C.N.A. was issued Certificate Number 1401-140231 to practice as a nurse aide on September 29, 2010, which is scheduled to expire on September 30, 2016. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Ms. Church violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a nurse aide due to her admitted addiction to heroin and other opiates.
3. Ms. Church has not practiced as a certified nurse aide in two years. She stated to her counselor that she does not plan to renew her certificate. Ms. Church is currently working in lawn care.
4. Ms. Church failed to respond to requests for an interview by the investigator for the Department of Health Professions.

#### **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. The certificate issued to Patricia Church to practice as a nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The certificate of Ms. Church will be recorded as SUSPENDED.
3. Should Ms. Church seek reinstatement of her certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Church to demonstrate that she is safe and competent to return to the practice as a nurse aide. Ms. Church 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.

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