

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Katarina Ohlschwager, C.N.A.
Certificate Number: 1401-118600
Case Number: 173848

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. Katarina Ohlschwager, 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. Ohlschwager failed to appear at the informal conference, this Order shall be considered final. Ms. Ohlschwager 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. Ohlschwager 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, 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 Douglas

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

ENTERED AND MAILED ON:

Sept 28, 2016

Certified True Copy

By *L. Math*
Virginia Board Of Nursing

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**IN RE: Katarina Ohlschwager, C.N.A.
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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), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 21, 2016 in Henrico County, Virginia, to inquire into evidence that Katarina Ohlschwager, C.N.A. may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Ohlschwager 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 May 24, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Ohlschwager notifying her that an informal conference would be held on June 21, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. According to the U.S.P.S. tracking website, notice of the certified mail package was left at Ms. Ohlschwager’s address of record on May 26 and 27, 2016. The Notice sent by first class mail was not returned to the Board office. Further, Ms. Ohlschwager contacted the Board office by telephone and said she would not appear at the informal conference. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Ohlschwager and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Katarina Ohlschwager, C.N.A. was issued Certificate Number 1401-118600 to practice as a nurse aide on April 26, 2007, which is scheduled to expire on April 30, 2017. At all times relevant to the allegations herein, said certificate was in full force and effect.

2. During the course of her employment with Shenandoah Valley Westminster Canterbury, Winchester, Virginia:

a. Ms. Ohlschwager violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-25-100(2)(i) of the Regulations Governing Certified Nurse Aides (“Regulations”) in that by her own admission, in June 2015, she kissed a resident on the cheek on several occasions.

b. Ms. Ohlschwager violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-25-100(2)(d) of the Regulations in that in June 2015, by her own admission, she failed to give a diabetic resident her nighttime snack as ordered, but she documented as if she had done so.

3. As a result of these incidents, Ms. Ohlschwager’s employment with Shenandoah Valley Westminster Canterbury was terminated on July 17, 2015.

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

Reviewed and approved on August 25, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate