

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE KNIGHT MACROBERTS SAMPSEL, C.N.A.
License Number: 1401-171351
Case Number: 163602

RATIFICATION AND ORDER

On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Michelle Knight MacRoberts Sampsel, 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. Sampsel failed to appear at the informal conference, this Order shall be considered final. Ms. Sampsel 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. Sampsel 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.

Certified True Copy

By *[Signature]*
Virginia Board Of Nursing

FOR THE BOARD

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

ENTERED AND MAILED ON:

[Signature]
July 27th, 2016

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE KNIGHT MACROBERTS SAMPSEL, 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), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 16, 2016 in Henrico County, Virginia, to inquire into evidence that Michelle Knight MacRoberts Sampsel, C.N.A. may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Sampsel 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 18, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Sampsel notifying her that an informal conference would be held on June 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. The Notice sent via certified mail was returned to the Board office on June 2, 2016, marked "Unable to Forward/Return to Sender". The Notice sent via first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms.Sampsel and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Michelle Knight MacRoberts Sampsel, C.N.A. was issued License Number 1401-171351 to practice as a nurse aide on January 9, 2015, which is scheduled to expire on January 31, 2017. At all times relevant to the allegations herein, said certificate was in full force and effect.

2. Ms. Sampsel violated Virginia Code § 54.1-3007(5) in that during the course of her employment with Skyline Nursing and Rehabilitation Center, Floyd, Virginia:

a. In April 2015, she spoke inappropriately to Resident A when telling her to be quiet.

b. In April 2015, she failed to provide Resident B with privacy while caring for the resident.

3. Ms. Sampsel's employment with Skyline Nursing and Rehabilitation Center was terminated following an investigation that concluded the allegations were substantiated. Ms. Sampsel denied the allegation regarding Resident A.

4. Ms. Sampsel violated Virginia Code § 54.1-3007(5) in that during the course of her employment with Heritage Hall, Blacksburg, Virginia, in July 2015, she used inappropriate language in the presence of a resident.

5. Ms. Sampsel's employment with Heritage Hall was terminated.

6. Ms. Sampsel violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides in that on her May 8, 2015, application for employment with Heritage Hall, she failed to disclose her previous employment with Skyline Health and Rehabilitation Center or that it had been terminated.

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. Michele Knight MacRoberts Sampsel, C.N.A., is REPRIMANDED.
2. Michelle Knight MacRoberts Sampsel shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Reviewed and approved on July 6, 2016
By Nancy Durrett, R.N., M.S.
Agency Subordinate