

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: Deja Lashawn Avent, C.N.A.  
Certificate Number: 1401-130773  
Case Number: 169517**


**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. Deja Lashawn Avent, 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.

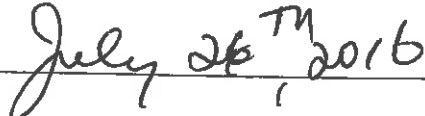
FOR THE BOARD

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

Certified True Copy

By   
Virginia Board Of Nursing

ENTERED AND MAILED ON:

  
July 26<sup>TH</sup>, 2016

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

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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), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 10, 2016 in Henrico County, Virginia, to inquire into evidence that Deja Lashawn Avent, C.N.A. may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Avent 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 April 20, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Avent notifying her that an informal conference would be held on May 10, 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 United Postal Service website, the Notice sent by certified mail was not delivered, but a notice was left by the post office on April 21, 2016. As of May 10, 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. Avent and the informal conference proceeded in her absence.

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

1. Deja Lashawn Avent, C.N.A. was issued Certificate Number 1401-130773 to practice as a nurse aide on June 23, 2009, which is scheduled to expire on June 30, 2016. At all times relevant to the allegations herein, said certificate was in full force and effect.
2. Deja Lashawn Avent, C.N.A. violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides in that on August 5, 2015, during the course of her employment with the Laurels of University Park, Richmond, Virginia, she accessed a resident's electronic record using the computer access code of a licensed practical nurse and falsely documented that the nurse had administered hydromorphone (C-II).
3. There was no harm to the resident.
4. Ms. Avent stated to the investigator for the Department of Health Professions that she frequently retrieved medical records using other nurses access codes, but never for access to medications.
5. On September 1, 2015, Ms. Avent's employment with the Laurels of University Park was 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. Deja Lashawn Avent is REPRIMANDED.
2. Deja Lashawn Avent shall comply with all laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Reviewed and approved on May 17, 2016  
By Nancy Durrett, R.N., M.S.  
Agency Subordinate