

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: PAMELA LEE MCZEAL ARRINGTON, C.N.A.
Certificate Number: 1401-065407
Case Number: 171573

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 18, 2016, in Henrico County, Virginia, to inquire into evidence that Pamela L. Arrington, C.N.A., may have violated an Order of the Board entered May 20, 2013.

Pamela Lee McZeal Arrington, C.N.A. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated April 29, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Arrington notifying her that a formal administrative hearing would be held on May 18, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On April 24, 1997, the Board of Nursing issued Certificate Number 1401-065407 to Pamela Lee McZeal Arrington, C.N.A. to practice as a nurse aide in the Commonwealth of Virginia.

Said certificate expired on 4/30/2015. At all times relevant hereto, said certificate was in full force and effect. Her primary state of residence is Virginia.

1. Ms. Arrington was issued License No. 0002-066848 to practice practical nursing in Virginia on August 11, 2003. Said license was indefinitely suspended for not less than three years by Order dated August 3, 2012. She was issued Certificate No. 1401-065407 to practice as a nurse aide on April 24, 1997. Said certificate expired on April 30, 2015. Her primary state of residence is Virginia.

2. On May 20, 2013, the Board reinstated Ms. Arrington's certificate to practice as a nurse aide, which had expired on April 30, 2003 ("C.N.A. Order"). The Board placed her on indefinite probation for not less than 12 months of active employment as a nurse aide and subject to terms and conditions.

3. Term No. 2(e) of the Board's May 20, 2013, Order required Ms. Arrington to submit quarterly Self-Reports.

4. As of May 18, 2016, Ms. Arrington had not submitted any Self Reports.

5. At the hearing, Ms. Arrington first testified that she knew she was on probation but that she did not know what the requirements were because when she left the hearing, she was "somewhere else." She admitted to the Board it was her responsibility to follow up to know what the requirements of the probation were. Ms. Arrington testified that she never received the Order, but evidence revealed that she told Board of Nursing staff that she had received the Order.

6. Ms. Arrington repeatedly told the Board that her C.N.A. record is unblemished but she acknowledged that she has a public Order from 2013 placing her C.N.A. certificate on probation. Ms. Arrington further stated that she has no interest in maintaining a certified nurse aide certificate and that she does not intend to work as a C.N.A.

7. Ms. Arrington was argumentative with the Board members when asked questions, and combative with the Commonwealth's witness when asking the witness questions.

8. The Board's compliance manager testified that the quarterly reports were required whether or not Ms. Arrington was working as a C.N.A.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term Number 2(e) of the Board's Order.

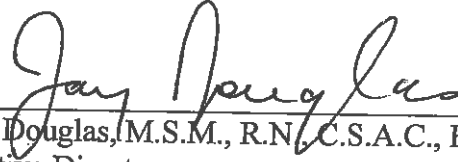
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

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

Pursuant to Virginia Code §§ 2.2-4023 and 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 P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

June 29th, 2016

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy
By *dgraham*
Virginia Board Of Nursing