

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TINA MARIE CLAPP ALLS, C.N.A.

Certificate Number: 1401-168117
Issue Date: July 2, 2014
Expiration Date: July 31, 2016
Case Number: 162897

**NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing ("Board") regarding your certificate to practice as a nurse aide in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board of Nursing.
DATE AND TIME:	May 19, 2016 1:00 P.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Suspend your certificate;
- Revoke your certificate.

DEFAULT:

If you fail to appear at the formal hearing, the Board may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Board will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the formal hearing.**

FILING DEADLINES:

1. Deadline for filing exhibits: **May 10, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail. Please note that any documentation or evidence that you previously submitted for an informal conference must be resubmitted for consideration by the Board at the formal hearing.

2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **May 10, 2016**. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

OTHER IMPORTANT INFORMATION:

If the Board finds that there is sufficient evidence to find you in violation of the allegation(s) stated below and Virginia Code § 54.1-3007(8), the Board shall make a finding of abuse, neglect, and/or misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Tina Marie Clapp Alls, C.N.A. was certified to practice as a nurse aide in the Commonwealth of Virginia.

2. Tina Marie Clapp Alls, C.N.A. violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-25-100(2)(e), (g), and (h) of the Regulations Governing Certified Nurse Aides (“Regulations”) in that during the course of her employment with Nursefinders, Roanoke, Virginia, while providing care for the husband of Client A:

a. Between on or about January 20 and March 3, 2015, Ms. Alls accepted three checks from Client A totaling approximately \$3,500.00

b. In or about March 2015, Ms. Alls stole an additional \$800.00 cash and a \$100.00 money order from Client A’s home as well as Client A’s personal journal, which included details of her previous monetary transactions with Ms. Alls.


3. Tina Marie Clapp Alls, C.N.A. violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulation in that on her application for employment with Nursefinders dated December 3, 2014:

a. Ms. Alls falsely listed her dates of employment with Pheasant Ridge, Roanoke, Virginia as October 28, 2014 through December 1, 2014, when her employment with Pheasant Ridge was, in fact, terminated on or about November 19, 2014.

b. Ms. Alls failed to provide a “reason for leaving” her employment with South Roanoke Nursing Home, Roanoke, Virginia. In fact, Ms. Alls’ employment with South Roanoke Nursing Home was terminated on or about October 26, 2014.

c. Ms. Alls failed to list her previous employment with Berkshire Health and Rehabilitation Center, Vinton, Virginia and Team Nurse, South Boston, Virginia, both of which ended in termination.

See Confidential Attachment I for the name of the client referenced above.


So Jay Douglas, MSM RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

April 28, 2016
Date