

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JULESTRA KING, C.N.A.
Certificate No.: 1401-113662**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 15, 2016, in Henrico County, Virginia. Julestra King, C.N.A., was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 18, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. King was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Julestra King, C.N.A., was issued Certificate No. 1401-113662 to practice as a nurse aide in Virginia on April 30, 2006. The certificate is scheduled to expire on April 30, 2017.
2. By letter dated February 18, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. King notifying her that an informal conference would be held on March 15, 2016. The Notice was sent by certified and first class mail to 4 Belmont Court, Apt. 102, Hampton, Virginia 23666, the address of record on file with the Board of Nursing.
3. In March 2015, during the course of her employment with Newport News Nursing and Rehabilitation Center, Newport News, Virginia, Ms. King accepted \$15.00 from Resident A, who is alert and oriented, for reasons other than fee for service or a nominal token of appreciation.
4. According to this same resident, she had \$60.00 stolen from her purse and that Ms. King

frequently told her she was experiencing serious financial problems, for example “not even enough money for bus fare”.

5. Ms. King stated at the informal conference that she sometimes spoke to Resident A about her lack of finances while on duty. Ms. King stated that she knew she should not have kept the money, but she did not take any steps to return the money to Resident A.

6. Ms. King began employment with Newport News Nursing and Rehabilitation Center on October 7, 2014, and was terminated on May 6, 2015. Ms. King has held four positions since 2012, and was terminated from three of those positions. She was terminated from one of these positions, “Maple Green” for a positive urine drug screen for marijuana, which she stated she stopped smoking in 2016. Also at Maple Green, there is documentation on a disciplinary warning notice, that Ms. King borrowed \$36.00 from a resident and later repaid the resident.

7. On April 30, 2013, Ms. King pled guilty to and was convicted of two misdemeanor counts of obtain property by false pretenses and one misdemeanor count of conversion in the Superior Court Division of Guilford County, North Carolina. Ms. King was ordered imprisoned for 45 days with two days imprisonment credited. She was ordered to complete 24 months of unsupervised probation.

8. Ms. King stated at the informal conference that she is currently employed with Hope In Home Care.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(e) and (g) of the Regulations Governing Certified Nurse Aides
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code.
3. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Misappropriation of patient property pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-113662 of Julestra King, C.N.A., to practice as a nurse aide is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. King in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. King's employment as a certified nurse aide in any long-term care facility that receives Medicare or Medicaid reimbursement, according to 42 CFR § 483.13(c)(1)(ii)(B).

Pursuant to § 54.1-2400.2 of the Code, 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. King may, not later than 5:00 p.m., on **June 27, 2016**, notify 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, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.


FOR THE BOARD:


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

ENTERED: May 25, 2016

This Order shall become final on June 27, 2016; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board Of Nursing