

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SARAH B. TAYLOR, C.N.A.
Certificate No.: 1401-056936

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 August 18, 2015 in Henrico County, Virginia. Sarah B. Taylor, C.N.A. was present and was not represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Taylor 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. Sarah B. Taylor, C.N.A. was issued Certificate No. 1401-056936 to practice as a nurse aide in Virginia on January 20, 1996. The certificate is scheduled to expire on January 31, 2016.
2. By letter dated July 8, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Taylor notifying her that an informal conference would be held on August 18, 2015. The Notice was sent by certified and first class mail to 1640 Johnson Road, Apt. 107-A, Petersburg, Virginia 23805, the address of record on file with the Board of Nursing.
3. During the course of her employment with Dinwiddie Health and Rehabilitation Center, Petersburg, Virginia, while assigned to the 11:00 p.m. to 7:00 a.m. shift on August 29-30, 2014, by her own admission, Ms. Taylor left the facility at approximately 1:00 a.m. without advising her supervisor or co-workers that she was leaving and without ensuring the continuation of care of her assigned residents.

4. At the informal conference, Ms. Taylor stated that on most nights at the facility, there were two or three nurse aides and two nurses caring for a total of 66 residents on the rehabilitation and assisted living wings. On the night of the incident, she was the only nurse aide, as one other nurse aide was on vacation and the other had not appeared for her shift. She provided care to some of her assigned residents and told the charge nurse that she needed help. The charge nurse attempted to call other nurse aides in, but no one would come. She stated that she got overwhelmed and just left. She acknowledged that she was wrong to leave, and that she should have just stayed and done her best.

5. Ms. Taylor's employment with Dinwiddie Health and Rehabilitation Center, which began on May 6, 2014, was terminated as a result of this incident. There had been no prior performance issues involving patient care. She has had three employers in the past five years. Currently, she is caring for an elderly family member.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (8) of the Code.
2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Neglect 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. 1401-056936 of Sarah B. Taylor, C.N.A. is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Taylor shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent nurse aide practice. Ms. Taylor shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.
4. A Finding of Neglect shall be ENTERED against Ms. Taylor 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. Taylor'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).

5. Since this Finding of Neglect was based on a singular occurrence, Ms. Taylor is eligible to petition the Board for removal of the Finding of Neglect one time, after a period of one (1) year from the date of entry of this Order, if she can demonstrate that her employment and personal history do not reflect a pattern of abusive behavior or neglect.

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. Taylor may, not later than 5:00 p.m., on **January 4, 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:


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

ENTERED: December 2, 2015

This Order shall become final on January 4, 2016; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board Of Nursing