

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: SHEENA HERNANDEZ, C.N.A.
License No.: 1401-138725**

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 25, 2015, in Henrico County, Virginia. Sheena Hernandez, C.N.A., was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S., 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. Hernandez 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. Sheena Hernandez, C.N.A., was issued Certificate No. 1401-138725 to practice as a nurse aide in Virginia on July 21, 2010. The certificate is scheduled to expire on July 31, 2016.
2. By letter dated July 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hernandez notifying her that an informal conference would be held on August 25, 2015. The Notice was sent by certified and first class mail to 112 Roberta Street, Narrows, Virginia, 24124, the address of record on file with the Board of Nursing. The Notice sent via certified mail, including the signature receipt card, was returned to the Board office marked "Return to Sender - Unclaimed." The Notice sent via first-class mail was not returned to the Board office. The Agency Subordinate concluded

that adequate notice was provided to Ms. Hernandez and the informal conference proceeded in her absence.

3. See confidential Attachment I for Findings of Fact related to information gathered from substance abuse records and not admitted by Ms. Hernandez.

4. Ms. Hernandez did not respond to any of the Department of Health Professions' investigator's attempts to contact her.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-138725 of Sheena Hernandez, C.N.A., is INDEFINITELY SUSPENDED.

2. The certificate will be recorded as suspended and no longer current.


3. At such time as Ms. Hernandez 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. Hernandez 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.

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.

Since Ms. Hernandez failed to appear at the informal conference, this Order shall be considered final. Ms. Hernandez 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. Hernandez has thirty (30) 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, R.N., M.S.M., C.S.A.C., 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 (3) days are added to that period.

FOR THE BOARD


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

Entered: December 2, 2015

Certified True Copy

By 
Virginia Board Of Nursing