

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ROXANNE Y. A. EASTERDAY, C.N.A.
Certificate No.: 1401-165394**

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 September 24, 2015, in Henrico County, Virginia. Ms. Easterday was not present nor was she represented by legal counsel. Nancy K. 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. Easterday 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. Roxanne Y. A. Easterday, C.N.A. was issued Certificate No. 1401-165394 to practice as a certified nurse aide in Virginia on March 11, 2014. The certificate is scheduled to expire on March 31, 2016.

2. By letter dated August 5, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Easterday notifying her that an informal conference would be held on September 24, 2015. The Notice was sent by certified and first class mail to 131 Nettle Lane, Winchester, Virginia 22603 the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. The

Agency Subordinate concluded that adequate notice was provided to Ms. Easterday and the informal conference proceeded in her absence.

3. During the course of her employment with Valley Health Winchester Medical Center, Winchester, Virginia, between October 2014 and January 2015, Ms. Easterday engaged in a consensual, inappropriate relationship with a patient, who was diagnosed with tetraplegia and cervical trauma and considered competent. Further, Ms. Easterday lay in bed with the patient, kissed the patient, discussed plans to be with the patient after his discharge, and sent the patient inappropriate text messages and an inappropriate picture of herself. The inappropriate relationship and several of these events were witnessed by another C.N.A. and the patient's mother.

4. The patient stated that there was no sexual contact, that he was a willing participant, and that he planned to be with Ms. Easterday when he left the facility.

5. As a result of these incidents, Ms. Easterday's employment with Valley Health Winchester Medical Center was terminated on January 15, 2015.

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 (i) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Abuse 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. 1401-165394 of Roxanne Y. A. Easterday, C.N.A. is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of ABUSE shall be ENTERED against Roxanne Y. A. Easterday, C.N.A. 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. Easterday'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.


Since Ms. Easterday failed to appear at the informal conference, this Order shall be considered final. Ms. Easterday 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. Easterday 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, M.S.M., R.N., C.S.A.C., F.R.E., 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


so 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

Certified True Copy

By 
Virginia Board Of Nursing