

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KRISTA Y. SCHOFIELD, C.N.A.
License No.: 1401-126021

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 December 6, 2011, in Henrico County, Virginia. Krista Y. Schofield, C.N.A., was present and was not represented by legal counsel. Jodi P. Power, R.N., J.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 25, 2012, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Schofield 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. Krista Y. Schofield, C.N.A., was issued License No. 1401-126021 to practice as a nurse aide in Virginia on August 23, 2008. The certificate is scheduled to expire on August 31, 2012.
2. By letter dated November 4, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Schofield notifying her that an informal conference would be held on December 6, 2011. The Notice was sent by certified and first class mail to 1407 Barriedale Road, Apt. G, Richmond, Virginia, 23225, the address of record on file with the Board of Nursing.
3. Ms. Schofield has a mental health and chemical dependency condition that has required

multiple hospitalizations, ongoing outpatient treatment, and medication management. Specifically:

a. She was admitted to Tucker Pavilion at Chippenham Johnston-Willis Medical Center, Richmond, Virginia, and was hospitalized from May 27, 2011, to June 8, 2011. She was treated for schizoaffective disorder, depression with suicidal ideation and substance abuse. Her urine drug screen in connection with this admission was positive for cocaine and marijuana, which she admitted abusing.

b. She was previously admitted to Tucker Pavilion at CJW Medical Center and was hospitalized from January 13-19, 2010, where she was first diagnosed and treated for schizoaffective disorder.

c. By her own admission, Ms. Schofield had been treated for bipolar disorder and depression for many years by Dr. Nazir Chaudhary prior to the 2010 and 2011 hospitalizations. She acknowledged at the informal conference that the two recent hospitalizations resulted from her stopping her prescribed medications and replacing them with illegal drug and alcohol use instead. She was unable to identify what medication she was prescribed and stopped taking, but reported they made her feel slow, sleepy and sedated. She also acknowledged she stopped attending Alcoholics Anonymous meetings for her admitted alcohol and drug dependency.

d. Ms. Schofield has a history of crack cocaine, marijuana, alcohol, LSD and heroin use. She has previously received inpatient substance abuse treatment at Rubicon, VCU, and Willow Oaks.

4. During the course of her employment with Family Lifeline, Richmond, Virginia:

a. On March 28, 2011, while assigned to provide home health care to an elderly client, Ms. Schofield appeared excessively sedated “as if high on drugs” when reporting for duty. She then left the client’s home before the end of her shift without authorization or informing the office. As

a result, the family requested she be removed from the case.

b. Her three-year long employment was terminated on July 12, 2011, due to client complaints and no-call, no-shows.

5. At the informal conference, Ms. Schofield claimed the incident on March 28, 2011, was due to her having taken Benadryl due to an allergic reaction and acknowledged she was impaired and should not have gone to work that day. She added that she stopped showing up for work shortly thereafter because she was using drugs again and knew she could not work.

6. At the informal conference, Ms. Schofield reported she has been clean and sober for five months, with a July 3, 2011, date of sobriety. She reported she has a sponsor and attends AA meetings three times per week.

7. In an interview with the Department of Health Professions investigator on September 1, 2011, Dr. Nazir Chaudhary, with Virginia Psychiatric Associates, stated Ms. Schofield does fairly well when not using drugs, but when she is using cocaine she stops coming to his office for scheduled appointments. He opined that without drug rehabilitation, he does not believe Ms. Schofield will be able to keep her sobriety or safely work as a nurse aide.

8. Ms. Schofield is currently receiving full disability for her mental health issues. She is able to live independently, but is unable to handle her finances independently, according to her mother. She reports she is currently employed with Key Advantage, providing home health care and working up to 20 to 25 hours per week as her disability allows. She indicated she enjoys C.N.A. work and believes she is safe to practice as long as she stays on her medication.

9. At the informal conference, Ms. Schofield stated she is willing to enter the Health Practitioners' Monitoring Program.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3, 7, and 8 constitute a violation of § 54.1-3007(6) of the Code.
2. Findings of Fact Nos. 4(a) and 5 constitute a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-126021 of Krista Y. Schofield, C.N.A., is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Schofield 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. Schofield 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. This suspension shall be STAYED upon proof of entry into the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Schofield shall comply with all terms and conditions for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the certificate of Ms. Schofield, and an administrative proceeding shall be held to determine whether her certificate shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:
 - i. Ms. Schofield is not in compliance with the terms and conditions specified by the HPMP;

- ii. Ms. Schofield's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms.

Schofield involving a violation of law, regulation, or any term or condition of this order.

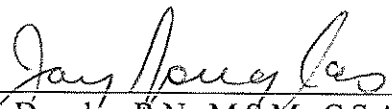
5 Upon receipt of evidence of Ms. Schofield's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Schofield's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted certificate.

6. Ms. Schofield shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Schofield may, not later than 5:00 p.m., on **March 7, 2012**, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he/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, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

ENTERED: February 3, 2012RD

This Order shall become final on **March 7, 2012**, unless a request for a formal administrative hearing is received as described above.