

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: AMBER CRAIGHEAD, C.N.A.
 Certificate No.: 1401-098551**

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. Amber Craighead, 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. Craighead 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. Amber Craighead, C.N.A., was issued Certificate No. 1401-098581 to practice as a nurse aide in Virginia on June 27, 2003. The certificate expired on June 30, 2015.
2. By letter dated July 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Amber Craighead, C.N.A., notifying her that an informal conference would be held on August 25, 2015. The Notice was sent by certified and first class mail to 4410 Plantation Road, Apartment 7, Roanoke, Virginia, 24012, the address of record on file with the Board of Nursing. The Notice was also sent to 285 Church Street, Christiansburg, Virginia, 24073, a secondary address. The receipt for the Notice sent via certified mail to the address of record was signed by a third party and returned to the Board office on July 28, 2015. The Notice sent via first-class mail to the address of record was not returned to the Board office. The receipt for the Notice sent via certified mail and the Notice sent via certified mail to the secondary address were returned to the Board office marked "Return to Sender – Unclaimed – Unable to Forward" on August 25, 2015. The Notice sent via first-class

mail to the secondary address was not returned to the Board office The Agency Subordinate concluded that adequate notice was provided to Ms. Craighead and the informal conference proceeded in her absence.

3. During the course of her employment with The Oaks at Richfield Retirement Community, Salem, Virginia, between March 23, 2015, and March 25, 2015, by her own admission, Ms. Craighead diverted hydrocodone (C-III) for her personal and unauthorized use. She accomplished the diversion by withdrawing the medication for six different residents and falsely documenting that she had administered the medication to those residents.

4. Ms. Craighead's employment with The Oaks at Richfield Retirement Community was terminated.

5. Ms. Craighead did not respond to the attempts by the investigator for the Department of Health Professions to contact her.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6) and (8) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-25-100(2)(c) and (d) of the Regulations Governing the Practice of Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitutes 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. The right of Amber Craighead, C.N.A., to renew Certificate No. 1401-098581 is REVOKED.

2. The certificate of Amber Craighead, C.N.A., will be recorded as REVOKED.


3. A finding of misappropriation of patient property shall be ENTERED against Ms. Craighead 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. Craighead'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. Craighead failed to appear at the informal conference, this Order shall be considered final. Ms. Craighead 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. Craighead 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


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

Entered: December 30, 2015