

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TIFFANI TURNER, C.N.A.
Certificate No.: 1401-157777**

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 June 16, 2015, in Henrico County, Virginia. Tiffani Turner, C.N.A., was not present nor was she 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 September 16, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Turner 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. Tiffani Turner, C.N.A., was issued Certificate No. 1401-157777 to practice as a nurse aide in Virginia on January 25, 2013. The certificate is scheduled to expire on January 31, 2016.
2. By letter dated May 21, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Turner notifying her that an informal conference would be held on June 16, 2015. The Notice was sent by certified and first class mail to 517 Coral Key Place, Apartment 3A, Newport News, Virginia, 23606, the address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was not returned to the Board office. 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. Turner and the informal conference proceeded in her absence.
3. During the course of her employment with Bayada Home Health Care, Williamsburg, Virginia, Ms. Turner was assigned to provide home health care services to Client A, who was 50 years old and alert and

oriented. Her duties included assisting the client with activities of daily living and transportation to medical appointments. In September 2014, Ms. Turner reported to work late and after Client A commented about Ms. Turner's tardiness, Ms. Turner started yelling and screaming at the client. Client A asked Ms. Turner to apologize, and Ms. Turner refused. Ms. Turner told Client A that she could call the employer and stated, "I don't fucking care, I hate this job and I think you are a fucking junkie pill head," or words to that effect. Ms. Turner refused to provide services to Client A as requested, including refusing to take her to the bank, refusing to wash the client's hair, and refusing to lock the door of Client A's home. Further, by her own admission to the investigator for the Department of Health Professions, she told Client A to shut up and accused her of being high.

4. In an interview with the investigator for the Department of Health Professions ("DHP"), Ms. Turner denied using profanity, yelling or screaming at Client A or refusing to perform any services for Client A.

5. On September 9, 2014, Ms. Turner spoke inappropriately to Client B and told her she did not want to touch her because she did not want to catch any diseases from her. Client B was also alert and oriented.

6. Ms. Turner stated to the DHP investigator that she did not tell Client B that she did not want to touch her because she did not want to catch any diseases from her.

7. Ms. Turner's employment with Bayada Home Health Care was terminated.

CONCLUSIONS OF LAW

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

2. Findings of Fact Nos. 3 and 5 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 C.F.R. § 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. 1401-157777 of Tiffani Turner, 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 Ms. Turner 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. Turner'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).

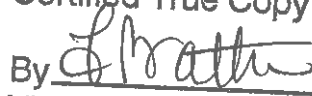
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Turner failed to appear at the informal conference, this Order shall be considered final. Ms. Turner 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. Turner 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


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

Entered: Sept 24, 2015

Certified True Copy
By 
Virginia Board Of Nursing