

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: EMILY EDWARDS, C.N.A.
 Certificate No.: 1401-137228**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 13, 2015, in Henrico County, Virginia, to inquire into evidence that Emily Edwards, C.N.A., may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Edwards was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Emily Edwards, C.N.A., holds Certificate No. 1401-137228 to practice as nurse aide in the Commonwealth of Virginia, which was issued on May 26, 2010. Said certificate expired on May 31, 2015.
2. During the course of her employment with Hummingbird Retirement Villa, Lebanon, Virginia, on May 31, 2014, Ms. Edwards failed to report an inappropriate interaction between a member of the staff and a resident.
3. At the time of the incident, Ms. Edwards was acting as supervisor on duty.
4. Ms. Edwards admitted that she was using her personal cell phone while on duty in the dining room when the incident occurred. At some point during the events, she accepted a call on the facility phone.
5. Ms. Edwards began her employment at Hummingbird Retirement Villa on October 29, 2012,

and resigned her employment on June 5, 2014, when the facility began an investigation into this incident.

6. At the time of the formal hearing, Ms. Edwards was employed at Mountain View Adult Care Residence Inc., as a med tech, and the employer provided a positive letter of reference for the Board's review.

7. Ms. Edwards testified that she was facing the opposite direction when the incident occurred and that she saw the staff member grab the resident's shirt, not the resident's arm.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of 54.1-3007(5) of the Code.


ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Emily Edwards, C.N.A., is hereby REPRIMANDED.
2. Ms. Edwards 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 §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

August 7, 2015
ENTERED

Certified True Copy

By draham
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.