

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: SHANNON TUCKER, C.N.A.**  
**Certificate No.: 1401-138409**

**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 11, 2015, in Henrico County, Virginia. Ms. Tucker was present and was not represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 15, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Tucker 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. Shannon Tucker, C.N.A. was issued Certificate No. 1401-138409 to practice as a certified nurse aide in Virginia on July 9, 2010. The certificate is scheduled to expire on July 31, 2015.
2. By letter dated April 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Tucker notifying her that an informal conference would be held on June 11, 2015. The Notice was sent by certified and first class mail to 355 College Street, Apt. 4C, Dayton, Virginia 22821, the address of record on file with the Board of Nursing. The Notice was also sent to Post Office Box 23, Dayton, Virginia 22821, a secondary address.
3. During the course of her employment with Bright View Baldwin Park, Staunton, Virginia ("BVBP"), from July 2013 through October 2013, Ms. Tucker failed to report the abuse and neglect of 15

incapacitated adult residents to any BVBP staff. The care aide perpetrator had yelled at, shoved, mocked, handled roughly, and generally been rude and mean to the residents.

4. Ms. Tucker's employment with BVBP was terminated in August 2014 due to reasons unrelated to this incident.

5. The Virginia Department of Aging and Rehabilitative Services imposed a civil penalty of \$400.00 on Ms. Tucker for a first offense of failure of a mandated reporter to report multiple incidents of suspected adult abuse.

6. At the informal conference, Ms. Tucker confirmed that she had witnessed the abuse and had delayed reporting it because the care aide perpetrator had threatened her. Ms. Tucker said she had left notes to report the matter for the L.P.N. supervisor, but was not aware if she had received those notes.

7. Ms. Tucker is not currently employed as a C.N.A.

#### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

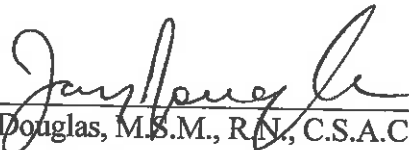
1. Shannon Tucker, C.N.A. is hereby REPRIMANDED.
2. Ms. Tucker shall maintain a course of conduct in her capacity as a certified nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Tucker may, not later than 5:00 p.m., on

August 24, 2015, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that 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.

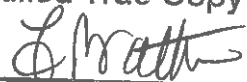
FOR THE BOARD:

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

ENTERED: July 22<sup>nd</sup> 2015

This Order shall become final on August 24, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing