

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: RENEE McCLARY, C.N.A.
 Certificate No.: 1401-096394**

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 May 12, 2015, in Henrico County, Virginia. Renee McClary, C.N.A., was present and was not represented by legal counsel. Nancy K. 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. McClary 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. Renee McClary, C.N.A., was issued Certificate No. 1401-096394 to practice as a nurse aide in Virginia on January 18, 2003. The certificate is scheduled to expire on January 31, 2016.
2. By letter dated April 13, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. McClary notifying her that an informal conference would be held on May 12, 2015. The Notice was sent by certified and first class mail to 531 First Street, Danville, Virginia 24541, the address of record on file with the Board of Nursing.
3. During the course of her employment at Interim Healthcare, Danville, Virginia, by her own admission, Ms. McClary pre-recorded that she worked from 9:00 a.m. to 2:00 p.m. on August 9,

2014, had the client sign the timesheet a day early on August 8, 2014, and submitted the timesheet the following morning; however, on August 9, 2014, she actually worked from 10:45 a.m. to 4:00 p.m.

4. Ms. McClary's employment was terminated on August 12, 2014.

5. On the application for employment with Interim Healthcare dated December 17, 2013, Ms. McClary failed to reveal her employment at Team Nurse, Inc., South Boston, Virginia, and reason for leaving.

6. By Order of the Board entered on February 9, 2009, Ms. McClary was reprimanded due to a finding that while employed at Team Nurse, Inc., Ms. McClary submitted timesheets for hours she had not actually worked and was subsequently terminated.

CONCLUSIONS OF LAW

1. Finding of Fact Nos. 3 and 5 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides ("Regulations").

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Renee McClary, C.N.A., is hereby REPRIMANDED.


2. Ms. McClary 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 Regulations Governing Certified Nurse Aides.

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. McClary 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:



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

ENTERED: July 21, 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