

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CAROLYN COBURN, C.N.A.
 Certificate No.: 1401-148514**

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. Carolyn Coburn, C.N.A., was not present nor was she 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. Coburn 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. Carolyn Coburn, C.N.A., was issued Certificate No. 1401-148514 to practice as a nurse aide in Virginia on October 18, 2011. The certificate expired on October 31, 2014.
2. By letter dated April 13, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Coburn notifying her that an informal conference would be held on May 12, 2015. The Notice was sent by certified and first class mail to P. O. Box 744, Covington, Virginia 24426, the address of record on file with the Board of Nursing. Neither the first class mail nor the certified mail was returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Coburn and the informal conference proceeded in her absence.
3. During the course of her employment at Kissito Healthcare, Hot Springs, Virginia:

a. On October 1, 2014, Ms. Coburn told Resident A that if he urinated on the floor, she would rub his face in it, or words to that effect.

b. On numerous occasions between May 31, 2011 and October 1, 2014, Ms. Coburn called residents derogatory names and was rude and unnecessarily rough.

4. A licensed practical nurse reported that Ms. Coburn told her that she did make the reported statement to Resident A.

5. Three certified nurse aides and another staff member stated that they had reported Ms. Coburn's behavior to the previous director of nursing, but nothing had ever been done.

6. Ms. Coburn's employment was terminated on October 8, 2014.

7. Attempts to contact Ms. Coburn by the Department of Health Professions investigator were unsuccessful.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation 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. Finding of Fact No. 3 and Conclusions of Law No. 1 constitute a Finding of Abuse 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 Carolyn Coburn, C.N.A., to renew Certificate No. 1401-148514 to practice as a nurse aide in the Commonwealth of Virginia is hereby REVOKED.


2. The certificate will be recorded as revoked and no longer current.

3. A Finding of Abuse shall be ENTERED against Ms. Coburn 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. Coburn'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).

Since Ms. Coburn failed to appear at the informal conference, this Order shall be considered final. Ms. Coburn 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. Coburn 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, M.S.M., R.N., C.S.A.C., F.R.E., 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

for 
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

Certified True Copy

By 
Virginia Board Of Nursing