

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JESSICA COMPTON, C.N.A.
Certificate No.: 1401-160579**

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. Jessica Compton, 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. Compton 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. Jessica Compton, C.N.A., was issued Certificate No. 1401-160579 to practice as a nurse aide in Virginia on June 4, 2013. The certificate is scheduled to expire on June 30, 2015.
2. By letter dated April 13, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Compton notifying her that an informal conference would be held on May 12, 2015. The Notice was sent by certified and first class mail to 978 Breaks Park Road, Haysi, Virginia 24256, the address of record on file with the Board of Nursing. The certified mail receipt was signed on April 11, 2015. The first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Compton and the informal conference proceeded in her absence.
3. During the course of her employment at Heritage Hall, Clintwood, Virginia, on August

24, 2014, Ms. Compton engaged in a verbal altercation with Resident A, in which Ms. Compton screamed and yelled and used profanity towards the resident. When asked to leave the resident's room, Ms. Compton refused to go. Ms. Compton continued to argue, use threatening language and point her finger at the resident in a threatening manner.

4. The incident was witnessed by the L.P.N. charge nurse, who heard screaming from the room. When the charge nurse tried to enter, she found the door blocked by Ms. Compton.

5. Ms. Compton admitted to using curse words in her interaction with the resident and stated that the resident cursed her, hit her and rammed her into the wall with the wheelchair. Ms. Compton did express regret for what she said. Ms. Compton's employment was terminated on August 24, 2014.

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 Jessica Compton to renew Certificate No. 1401-160579 is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Ms. Compton 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. Compton'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. Compton failed to appear at the informal conference, this Order shall be considered final. Ms. Compton 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. Compton 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


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

Entered: Jul 21, 2015

Certified True Copy

By 
Virginia Board Of Nursing