

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DENISE FORBES, C.N.A., R.M.A.
Certificate No.: 1401-009596
Registration No.: 0031-000884

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Denise C. Forbes, who holds Certificate No. 1401-009596 to practice as a nurse aide which expires on June 30, 2015 and Registration No. 0031-000884 to practice as a medication aide which expires on June 30, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 21, 2015, at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Forbes will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Forbes has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Forbes desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

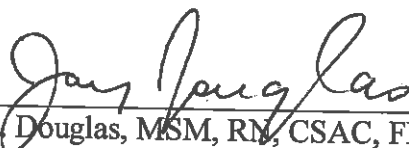
The purpose of the hearing is to inquire into evidence that Ms. Forbes may have violated certain laws and regulations governing certified nurse aide and medication aide practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that during the course of her employment with Parkside Assisted Living, Richmond, Virginia, from in or about December 2013 through in or about April 2014, Ms. Forbes violated § 54.1-3007(2), (3), (5), (6) and (8) of the Code, 18 VAC 90-60-120(2)(c), (d), (l) and (m) and 18 VAC 90-60-110(A)(2) and (B)(2) of the Regulations Governing the Registration of Medication Aides, and 18 VAC 90-25-100(2)(c) of the Regulations Governing Certified Nurse Aides, in that she diverted narcotic pain medication from residents, as evidenced by the following:

1. Ms. Forbes administered P.R.N. narcotic pain medication approximately 52 times to three residents who were not exhibiting pain. Ms. Forbes either did not record the administration of said medication in the corresponding medication administration record (M.A.R.), or she recorded the administration several hours later.
2. Ms. Forbes failed to record the reason for administering narcotic pain medication to these patients in the M.A.R.
3. Nurses and other nurse aides who provided care to the same residents noted affirmatively in the Resident Progress Notes that these residents were not experiencing pain, even in cases where the residents had suffered from recent falls.
4. Ms. Forbes failed to notify the charge nurse that the residents were experiencing pain or that she was administering P.R.N. narcotic pain medication to them.

FOR THE BOARD



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

ENTERED: April 28th, 2015