

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: SHARRY ANDERKIN, C.N.A.  
Certificate No.: 1401-034985**

**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 January 21, 2015, in Henrico County, Virginia. Sharry Anderkin, C.N.A., was not present nor was she represented by legal counsel. Jane Elliot, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 25, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Anderkin was not present nor was she represented by legal counsel. Ms. Anderkin submitted written comments/objections.

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. Sharry Anderkin, C.N.A., was issued Certificate No. 1401-034985 to practice as a nurse aide in Virginia on December 12, 1992. The certificate is scheduled to expire on December 31, 2015.
2. By letter dated December 23, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Anderkin notifying her that an informal conference would be held on January 21, 2015. The Notice was sent by certified and first class mail to P. O. Box 85, Blackwater, Virginia 24221, the address of record on file with the Board of Nursing. The Notice sent by certified mail was accepted by Ms. Anderkin on December 26, 2015. The Agency Subordinate concluded that adequate notice was provided to Ms. Anderkin and the informal conference proceeded in her absence.
3. Between September 2013 and June 2014, during the course of her employment with Heritage

Hall, Big Stone Gap, Virginia, Ms. Anderkin accepted approximately \$1,200.00 from Resident A for various personal items that included wedding rings, and she promised that she was going to marry Resident A and move the resident and his father into her home.

4. Resident A, who is alert and oriented, confirmed that he had given money to Ms. Anderkin and that she had promised to marry him. Resident A can account for a least \$1,200.00 for various things that included gas for her car, auto repairs and clothing for the resident. Resident A stated that Ms. Anderkin only purchased clothing for him once, although he had given her money on other occasions to purchase items for him. Resident A stated that Ms. Anderkin kissed him after he started giving her money.

5. Ms. Anderkin was hired at Heritage Hall in July 2011, and resigned her employment in June 2014.

6. Ms. Anderkin has been charged with financial exploitation of a mentally incapacitated person. At the time of the informal conference, a capias had been issued by the Wise County Virginia Circuit Court for Ms. Anderkin's arrest.

#### CONCLUSIONS OF LAW

1. Finding of Fact 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(e), (h) and (i) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Abuse and Misappropriation of patient property 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:

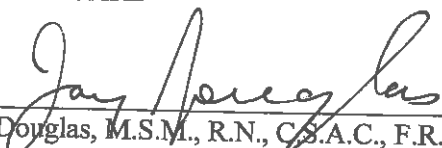
1. Certificate No. 1401-034985 of Sharry Anderkin to practice as a nurse aide is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse and a Finding of Misappropriation of patient property shall be ENTERED against Ms. Anderkin in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42

CFR § 483.156(b)(2) and (c)(1)(iv)(D). These findings prohibit Ms. Anderkin'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. Anderkin failed to appear at the informal conference, this Order shall be considered final. Ms. Anderkin 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. Anderkin has 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 days are added to that period.

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: April 6<sup>th</sup>, 2015

Certified True Copy

By   
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Virginia Board Of Nursing