

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: HANSABEN SHAH, R.M.A.
Registration No.: 0031-002865**

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. Hansaben Shah, R.M.A., was present and was not represented by legal counsel. Jane Elliott, 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. Shah 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. Hansaben Shah, R.M.A., was issued Registration No. 0031-002865 to practice as a medication aide in Virginia on April 3, 2009. The registration is scheduled to expire on June 30, 2015.
2. By letter dated October 22, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Shah notifying her that an informal conference would be held on November 25, 2014. The Notice was sent by certified and first class mail to 221 West Main Street, Marion, Virginia 24354, the address of record on file with the Board of Nursing. On November 13, 2014, Ms. Shah requested and was granted a continuance, and by letter dated November 13, 2014, she was notified that the informal conference would be held on January 21, 2015.

3. Between November 2013 and January 2014, during the course of her employment with the International Rejuvenation Center, Marion, Virginia, Ms. Shah failed to follow physicians' orders and failed to maintain an accurate medication administration record ("MAR") for a resident as evidenced by the following:

a. The resident's MAR indicated the resident was ordered to receive Divalproex 500 mg, Haloperidol 1 mg, Hydroxyzine 50 mg, and Temazepam 15 mg daily. However, physician orders for these medications were not found during an inspection by the Department of Social Services ("DSS"). Additionally, the start dates for these medications on pharmacy records did not coincide with the MAR.

b. On November 25, 2013, the resident was ordered to receive Lithium Carbonate 300 mg, extended release, twice daily. The MAR for November 2013 indicated Lithium Carbonate 150 mg and had "300 mg two times" handwritten in the record.

c. On January 14, 2014, the resident's physician discontinued Zyprexa (olanzapine) 15 mg one tablet at bedtime. The new physician order indicated that the resident was to receive Zyprexa 20 mg, one at bedtime and Zyprexa 10mg one at bedtime for a total of 30 mg. The MAR for January showed Zyprexa 15 mg one tablet by mouth at bedtime and had "15 +15 =30 mg" handwritten into the record.

4. Ms. Shah stated that she has been a medication aide and registered medication aide for 16 years, registered with the Board of Nursing 6 of the 16 years. She recently completed the medication aide refresher course as required for renewal. Ms. Shah stated that her duties at the facility were to pass medications and prepare meals. She stated that she did not perform any patient care.

5. Ms. Shah remains employed with the International Rejuvenation Center.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 (a) through 3(d) constitute a violation of § 54.1-3007(2) of the Code, 18

18 VAC 90-60-110(A)(2) and (3) and 18 VAC 90-60-120(2)(m) of the Regulations Governing the Registration of Medication Aides.

ORDER

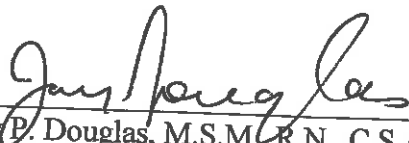
WHEREFORE, it is hereby ORDERED as follows:

1. Hansaben Shah, R.M.A., is hereby REPRIMANDED.
2. Ms. Shah shall maintain a course of conduct in her capacity as a registered medication aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Shah may, not later than 5:00 p.m., on **May 4, 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: March 30TH, 2015

This Order shall become final on May 4, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing