

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ANGEL CASTLE, C.N.A.
 Certificate No.: 1401-071143**

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 December 4, 2014 in Henrico County, Virginia. Ms. Castle was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 28, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Castle was not present nor was she represented 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. Angel Castle, C.N.A. was issued Certificate No. 1401-071143 to practice as a certified nurse aide in Virginia on February 7, 1998. Said certificate is set to expire on February 28, 2015. Ms. Castle also holds Registration No. 0031-006555 to practice as a medication aide in Virginia.

2. By letter dated November 3, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Castle notifying her that an informal conference would be held on December 4, 2014. The Notice was sent by certified and first class mail to 1437 Maple Gap Road, Big Stone Gap, Virginia, 24219, 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 as of December 4, 2014. The Agency Subordinate concluded that adequate notice was provided to Ms. Castle and the informal conference

proceeded in her absence.

3. During the course of her employment with Kingston Center, Duffield, Virginia, between June 2012 and February 2014, Ms. Castle accepted \$110.00 from a resident to pay her family's electric bill. Additionally, on multiple occasions, Ms. Castle accepted \$50.00 cash from the same resident to purchase prepaid phone cards for him; however, Ms. Castle only purchased \$35.00 phone cards and failed to return his change.

4. During a facility inspection conducted by the Virginia Department of Social Services, Ms. Castle admitted accepting \$110.00 from the resident.

5. Ms. Castle's employment was suspended and she was placed on a 90-day probationary term on February 6, 2014. Shortly thereafter Ms. Castle resigned from the facility without notice; Ms. Castle is not eligible for re-hire.

6. Numerous attempts were made by an investigator with the Virginia Department of Health Professions to contact Ms. Castle; however, Ms. Castle failed to respond to any said attempts.

CONCLUSIONS OF LAW

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)(g), (h) and (i) of the Regulations Governing Certified Nurse Aides.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-071143 of Angel Castle is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Castle 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. Castle'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. Castle failed to appear at the informal conference, this Order shall be considered final. Ms. Castle 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. Castle 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


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

Entered: February 4, 2015

Certified True Copy

By 
Virginia Board of Nursing