

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: PRISCILLA ORTON, C.N.A.
Certificate No.: 1401-093354**

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. Orton 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. Orton 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. Priscilla Orton, C.N.A. was issued Certificate No. 1401-093354 to practice as a certified nurse aide in Virginia on July 13, 2002. Said certificate is set to expire on July 31, 2015.
2. By letter dated November 3, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Orton notifying her that an informal conference would be held on December 4, 2014. The Notice was sent by certified and first class mail to 8952 Pocahontas Trail, Williamsburg, Virginia, 23185, 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. Additionally, Board staff had spoken with Ms. Orton prior to December 4, 2014 and Ms. Orton indicated she was aware

of the date and time of the hearing but indicated she was unsure whether she would attend. The Agency Subordinate concluded that adequate notice was provided to Ms. Orton and the informal conference proceeded in her absence.

3. During the course of her employment with Eastern State Hospital, Williamsburg, Virginia, on March 23, 2014, by her own admission, Ms. Orton failed to complete resident checks every 30 minutes as required. Additionally, Ms. Orton falsely documented on the Patient Monitoring Sheet that she had completed the required checks. Ms. Orton indicated to an investigator with the Virginia Department of Health Professions that she experienced a lapse in judgment when documenting that the checks had been completed.

4. Video surveillance of the hallways in which Ms. Orton was required to complete the 30 minute checks provided further evidence that the 30 minute checks did not occur. Additionally, the video indicated that at times when the residents were noted to be asleep there were many residents walking around the hallways.

5. The patients on Ms. Orton's hallway are classified as high functioning. There was no patient harm.

6. Ms. Orton was hired at Eastern State Hospital in 2012 and was terminated on April 16, 2014, due to her failure to complete the required 30 minute checks and falsification of records.

7. Ms. Orton began employment with Riverside Regional Medical Center in June, 2014.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of §54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Priscilla Orton, C.N.A. is hereby REPRIMANDED.
2. Ms. Orton shall maintain a course of conduct in her capacity as a nurse 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.

Since Ms. Orton failed to appear at the informal conference, this Order shall be considered final. Ms. Orton 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. Orton 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: February 4, 2015

Certified True Copy

By 
Virginia Board Of Nursing