

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ELISE MASON, C.N.A.
Certificate No.: 1401-139306**

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 November 25, 2014 in Henrico County, Virginia. Ms. Mason was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., 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. Mason 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. Elise Mason, C.N.A., was issued Certificate No. 1401-139306 to practice as a certified nurse aide in Virginia on August 17, 2010. Said certificate expired on August 31, 2014.
2. By letter dated October 16, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Mason notifying her that an informal conference would be held on November 25, 2014. The Notice was sent by certified and first class mail to 15 Hardwood Lane, Staunton, Virginia, 24401, the address of record on file with the Board of Nursing. The United States Postal Service indicated the certified mail was "unclaimed" as of November 1, 2014, and the first class mail had not been returned to the Board office as of November 25, 2014. The Agency Subordinate

concluded that adequate notice was provided to Ms. Mason and the informal conference proceeded in her absence.

3. During the course of her employment with Emeritus of Staunton, Staunton, Virginia, on April 18, 2014, Ms. Mason, along with another C.N.A., insisted that a Memory Care Unit resident take a shower after the resident repeatedly refused to be showered.

4. Ms. Mason's employment with Emeritus of Staunton was terminated on April 23, 2014.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of §54.1-3007 (5) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Elise Mason, C.N.A., is hereby REPRIMANDED.
2. Ms. Mason 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. Mason failed to appear at the informal conference, this Order shall be considered final. Ms. Mason 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. Mason 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



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

Entered: February 3, 2015

Certified True Copy

By 
Virginia Board Of Nursing