

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DEANA MARTIN, C.N.A.
Certificate No.: 1401-141635**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Deana Martin, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Martin's certificate to practice as a nurse aide in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Deana Martin, C.N.A., was issued Certificate No. 1401-141635 to practice as a nurse aide by the Virginia Board of Nursing on December 14, 2010. Said certificate is set to expire on December 31, 2012.
2. During the course of her employment with Carilion Clinic Roanoke Memorial Hospital, Roanoke, Virginia, on February 1, 2012, Ms. Martin falsely documented 16 sets of vital signs, including blood pressure, pulse, temperature and respiration, for seven different patients.
3. Ms. Martin admitted that she did not obtain actual values for the vital signs before documenting the information in the patients' medical records.
4. In an email to her supervisor dated February 2, 2012, Ms. Martin expressed remorse for her actions. No patient harm occurred.
5. Ms. Martin's employment with Carilion Clinic was terminated.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-25-100(A)(2)(d) and (e) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 2 and Conclusion of Law No. 1 constitute a Finding of Neglect pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

CONSENT

Deana Martin, C.N.A., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice as a nurse aide in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Deana Martin, C.N.A., is hereby REPRIMANDED.


2. A Finding of Neglect shall be ENTERED against Ms. Martin 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. Martin'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).

3. Since this Finding of Neglect was based on a singular occurrence, Ms. Martin is eligible to petition the Board for removal of the Finding of Neglect one time, after a period of one (1) year from the date of entry of this Order, if she can demonstrate that her employment and personal history do not reflect a pattern of abusive behavior or neglect.

4. Ms. Martin 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 §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD


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

ENTERED: 10/17/12

SEEN AND AGREED TO:

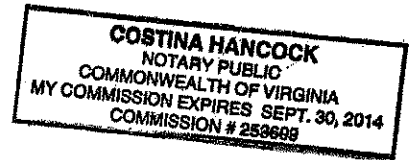
Deana Martin
Deana Martin, C.N.A.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Franklin, TO WIT:

Subscribed and sworn to before me, Costina Hancock, a Notary Public, this 12th day of October, 20012.

My commission expires 9-30-2014.

Registration Number 253603.



Costina Hancock
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing