

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: NAVANTE S. JOHNSON, C.N.A.
 Certificate No. 1401-153099**

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 August 19, 2014 in Henrico County, Virginia. Ms. Johnson was not present nor was she represented by legal counsel. Nancy K. Durrett, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Johnson 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. Navante S. Johnson, C.N.A. was issued Certificate No. 1401-153099 to practice as a nurse aide in Virginia on May 31, 2012. The certificate is scheduled to expire on May 31, 2015.
2. By letter dated July 31, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Johnson notifying her that an informal conference would be held on August 19, 2014. The Notice was sent by certified and first class mail to 1165 Depot Street, Christiansburg, VA 24073, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office marked "unclaimed". The Notice sent by first class mail was not returned. The Notice was also sent by certified and first class mail to 1717 Mud Pike Road, Christiansburg, VA 24073, an alternate address. The Notice sent by certified mail was returned to the Board office marked "unclaimed". The Notice sent by first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Johnson and the informal conference proceeded in her absence.

3. During Ms. Johnson’s employment with Community Care Solutions, L.L.C., while working at the home of a client, on October 14, 2013, by her own admission, Ms. Johnson stole two of the client’s credit cards, and used them to make unauthorized purchases of clothes, shoes, food, and concert tickets totaling more than \$300.00.

4. Ms. Johnson’s employment with Community Care Solutions, L.L.C. was terminated. According to police who investigated the case, Ms. Johnson showed no remorse.

5. Ms. Johnson was convicted of one misdemeanor count of credit card fraud in the Circuit Court of Montgomery County, Virginia on June 24, 2014 and sentenced to 12 months in jail, with six (6) months suspended, 12 months of supervised probation, a \$100.00 fine, and \$845.00 in court costs.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a finding of misappropriation of patient property pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-153099 of Navante S. Johnson, C.N.A. is REVOKED.

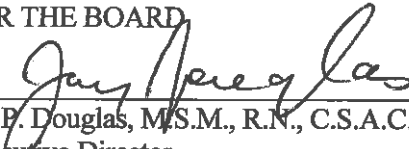
2. The certificate will be recorded as revoked and no longer current.

3. A Finding of misappropriation of patient property shall be ENTERED against Ms. Johnson 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. Johnson’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. Johnson failed to appear at the informal conference, this Order shall be considered final. Ms. Johnson 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. Johnson 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


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

Entered: November 25th, 2014

Certified True Copy

By 
Virginia Board Of Nursing