

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: SIDRA JOHNSON, C.N.A.
 Certificate No.: 1401-157258**

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 September 9, 2014, in Henrico County, Virginia. Sidra Johnson, C.N.A., was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S., 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. Sidra Johnson, C.N.A., was issued Certificate No. 1401-157258 to practice as a nurse aide in Virginia on December 19, 2012. The certificate is scheduled to expire on December 31, 2014.
2. By letter dated August 4, 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 September 9, 2014. The Notice was sent by certified and first class mail to 100 Kimball Avenue, Apt. H95, Salem, Virginia 24153, the address of record on file with the Board of Nursing. The Notices sent by certified and first class mail were returned to the Board office marked "Moved Left No Address, Unable to Forward." The Agency Subordinate concluded that adequate notice was provided to Ms. Johnson and the informal conference proceeded in her absence.
3. In December 2013, during the course of her employment with Hermitage of Roanoke, Roanoke,

Virginia, Ms. Johnson stole and used Resident A's credit card, making purchases totaling approximately \$5,000.00.

4. Ms. Johnson initially denied stealing and using the credit card, then admitted that she used the card after being confronted by video surveillance. Ms. Johnson stated that she had permission from Resident A. When questioned, Resident A, who is 102 years old, appeared confused and did not know that she had a credit card.

5. On January 9, 2014, Ms. Johnson's employment with the Hermitage of Roanoke was terminated.

6. On April 17, 2014, Ms. Johnson was arrested and charged with six counts of credit card theft in the Roanoke County, Virginia, Circuit Court. On August 11, 2014, Ms. Johnson pled guilty to the charges. She will be sentenced later in the year.

7. Ms. Johnson did not cooperate with the investigator for the Department of Health Professions.

CONCLUSIONS OF LAW

1. 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)(h) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion(s) 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.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-157258 of Sidra Johnson to practice as a nurse aide 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

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 (30) thirty 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 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