

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KATHLEEN M. MORGAN, C.N.A.
Certificate No: 1401-086681**

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 July 29, 2014, in Henrico County, Virginia. Ms. Morgan was not present and was not represented by legal counsel. Nancy K. Durrett, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 17, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Morgan 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. Kathleen M. Morgan, C.N.A. was issued Certificate No. 1401-086681 to practice as a nurse aide in Virginia on May 5, 2001. The certificate expired on May 31, 2013, was renewed on November 5, 2013 and is scheduled to expire on May 31, 2015.
2. By letter dated June 23, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Morgan notifying her that an informal conference would be held on July 29, 2014. The Notice was sent by certified and first class mail to 3334 Old Woodway Road, Dryden, Virginia 24243, the address of record on file with the Board of Nursing. The certified mail receipt was signed on June 27, 2014, and the first class mail was not returned to the Board's office. The Agency Subordinate concluded

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

3. During her employment at Lee Health and Rehab Center, Pennington Gap, Virginia, on or about October 28, 2013, the Director of Nursing discovered that the C.N.A. certificate of Ms. Morgan had expired on May 31, 2013. Ms. Morgan's employment was terminated on October 29, 2013.

4. From June 1, 2013 until Ms. Morgan's employment was terminated on October 29, 2013, she knowingly practiced as a nurse aide with an expired nurse aide certificate for five months.

5. Ms. Morgan had worked at the facility since February 1, 2011.

6. Ms. Morgan's current employment information was unknown as of the date of the informal conference.

CONCLUSION OF LAW

Finding of Fact No. 4 constitutes a violation of §§ 54.1-3007(3) and (5) and 54.1-3022 of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Kathleen M. Morgan is hereby REPRIMANDED.

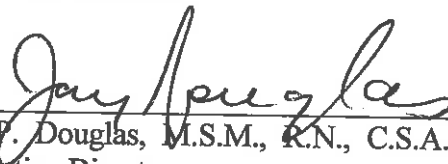
2. Ms. Morgan shall pay a MONETARY PENALTY of \$100.00 to the Board within 90 days of the entry of this Order.

3. Ms. Morgan 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. Morgan failed to appear at the informal conference, this Order shall be considered final. Ms. Morgan 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. Morgan 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: September 30th, 2014

Certified True Copy
By [Signature]
Virginia Board Of Nursing