

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: TAMIKA M. GRANT, C.N.A.  
License No.: 1401-105341**

**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. Grant 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 September 17, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Grant 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. Tamika M. Grant, C.N.A. was issued Certificate No. 1401-105341 to practice as a nurse aide in Virginia on August 26, 2004. The certificate is scheduled to expire on August 31, 2014.
2. By letter dated July 3, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Grant notifying her that an informal conference would be held on July 29, 2014. The Notice was sent by certified and first class mail to 3862 Augustine Circle, Portsmouth, VA 23703, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office marked "refused." The Notice sent by first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Grant and the informal conference proceeded in her absence.
3. During Ms. Grant's employment at the Envoy of Thornton Hall ("Thornton Hall"), Norfolk, Virginia on or about December 4, 2013, Ms. Grant was observed by the staffing coordinator shutting off the call bells from the switch board at the nurses station for all residents on "Blue Hall", a skilled nursing unit. Ms. Grant abandoned her duty station and went to the break room without authorization and without coverage of her

assignment.

4. There was no harm to the residents.
5. Ms. Grant was employed full time as a nurse aide at Thornton Hall from March 2012 until her employment was terminated on December 11, 2013.
6. Ms. Grant did not respond to the Department of Health Professions Investigator's attempts to contact her during the investigation, but denied the allegation in a letter submitted to the Board on July 14, 2014.

#### 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)(e) of the Regulations Governing Certified Nurse Aides.
2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a single finding of Neglect 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:

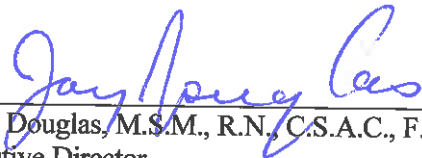
1. Tamika M. Grant, C.N.A., Certificate No. 1401-105341 is INDEFINITELY SUSPENDED for a period of not less than one year.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Grant shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent practice as a nurse aide. Ms. Grant shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.
4. A Finding of Neglect shall be ENTERED against Ms. Grant 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. Grant'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).
5. Since this Finding of Neglect was based on a singular occurrence, Ms. Grant 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.

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. Grant failed to appear at the informal conference, this Order shall be considered final. Ms. Grant 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. Grant 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 29<sup>th</sup>, 2014