

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           MICHELLE HALL, C.N.A.  
                  Certificate No.: 1401-125616**

**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 8, 2014 in Henrico County, Virginia. Ms. Hall was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., 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. Hall 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. Michelle Hall, C.N.A., was issued Certificate No. 1401-125616 to practice as a nurse aide in Virginia on July 26, 2008. The certificate is scheduled to expire on July 31, 2014.
2. By letter dated June 2, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hall notifying her that an informal conference would be held on July 8, 2014. The Notice was sent by certified and first class mail to 244 Red Mens Hall Road, Port Haywood, Virginia, 23138, the address of record on file with the Board of Nursing. A signed certified mail signature card was returned to the Board on June 4, 2014. The returned signature card indicated the delivery was signed for by Michael Mathis on June 3, 2014. The first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Hall and the informal

conference proceeded in her absence.

3. On February 18, 2014, during the course of her employment with Riverside Convalescent Center, Mathews, Virginia, Ms. Hall improperly transferred a non-weight bearing resident. The resident required the use of a transfer sling and at least two people; however, Ms. Hall transferred the resident using a gait belt without assistance. The resident suffered a skin tear on the left leg and a soft tissue injury to the knee.

4. Ms. Hall was terminated February 21, 2014 after a one-year term of employment with Riverside Convalescent Center. Ms. Hall was previously counseled for improper transfer of a resident in December 2013; that improper transfer also resulted in an injury.

5. Ms. Hall was terminated from Walter Reed Convalescent and Rehabilitation Center, on September 20, 2011 for failing to follow a resident's plan of care for transfers following a three-year term of employment. She received approximately twenty disciplinary counselings while employed at Walter Reed.

#### 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 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:

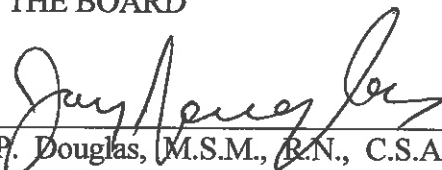
1. Certificate No. 1401-125616 of Michelle Hall, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of NEGLECT shall be ENTERED against Ms. Hall in the Virginia Nurse

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. Hall'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. Hall failed to appear at the informal conference, this Order shall be considered final. Ms. Hall 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. Hall 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

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

Entered: September 25<sup>TH</sup>, 2014

Certified True Copy

By   
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Virginia Board Of Nursing