

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DANIELLE KROMER, C.N.A.
Certificate No.: 1401-138075**

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 Virginia Board of Nursing ("Board") on June 10, 2014, in Henrico County, Virginia. Ms. Kromer was not present nor was she represented by legal counsel. Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Kromer 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. Danielle Kromer was issued Certificate No. 1401-138075 to practice as a nurse aide in Virginia on June 23, 2010. The certificate is scheduled to expire on June 30, 2014.
2. By letter dated April 29, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Kromer notifying her that an informal conference would be held on June 10, 2014. The Notice was sent by certified and first class mail to 39 Ashpone Tavern Road, Rocky Mount, Virginia 24151, the address of record on file with the Board of Nursing. Ms. Kromer signed the certified mail receipt. The Agency Subordinate concluded that adequate notice was provided to Ms. Kromer and the informal conference proceeded in her absence.
3. During her employment at Carilion Roanoke Memorial Hospital, Roanoke, Virginia,

between September 12, 2013, and November 13, 2013, on seven different occasions, Ms. Kromer accessed the private, confidential electronic medical records for a patient to whom she was never assigned to provide care. The patient was on a nursing unit to which the respondent was no assigned. Ms. Kromer admitted to accessing these records and that she knew the patient whose records she was accessing.

4. The respondent had previously inappropriately accessed patient records and had been warned she would be terminated if this happened again.
5. Ms. Kromer's employment was terminated on November 18, 2013.
6. Ms. Kromer failed to respond to numerous attempts of the Department of Health Professions' investigator to set up an interview.

CONCLUSIONS OF LAW

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

ORDER

WHEREFORE, it is hereby ORDERED as follows:

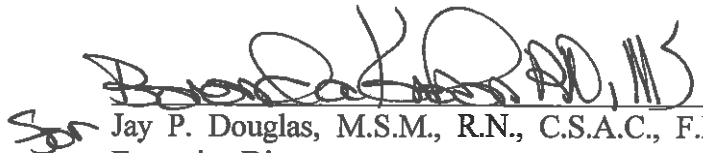
1. Danielle Kromer, C.N.A., is hereby REPRIMANDED.
2. Ms. Kromer shall provide the Board with verification that she has completed the NCSBN "Patient Privacy" course within 60 days of the entry of this Order.
3. Ms. Kromer shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations.
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nurse aides in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of Ms. Kromer's certificate and an administrative proceeding shall be convened

to determine whether such certificate shall be suspended or revoked.

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. Kromer failed to appear at the informal conference, this Order shall be considered final. Ms. Kromer 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. Kromer 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: July 23, 2014

Certified True Copy

By 
Virginia Board Of Nursing