

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHIRLEY COBBS, C.N.A.
Certificate No.: 1401-102318

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 May 29, 2014, in Henrico County, Virginia. Shirley Cobbs, C.N.A., was present and was not represented by legal counsel. Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On June 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cobbs 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. Shirley Cobbs, C.N.A., was issued Certificate No. 1401-102318 to practice as a nurse aide in Virginia on February 27, 2004. The certificate is scheduled to expire on February 28, 2015.
2. By letter dated May 1, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cobbs notifying her that an informal conference would be held on May 29, 2014. The Notice was sent by certified and first class mail to 151 Clement Avenue, Danville, Virginia 24540, the address of record on file with the Board of Nursing.
3. On July 8, 2013, during the course of Ms. Cobbs' employment with Stratford Healthcare Center, Danville, Virginia, an alert and oriented resident reported that Ms. Cobbs failed to provide her with incontinence care despite repeated requests from the resident and the charge nurse.

Ms. Cobbs denied the allegation and stated that she checked on the resident during the night. When the resident requested care at 5:00 a.m., she was bathing another resident. After finishing the bath, she went to the resident's room the charge nurse and another C.N.A. was changing the resident. As a result of the incident, Ms. Cobbs' four (4) years of employment was terminated.

4. On her application for employment with Stratford Healthcare Center, dated June 1, 2009, Ms. Cobbs failed to list her employment with Interim Health Care, Blue Ridge Rehabilitation Center, Martinsville, Virginia, and Danville Regional Medical Center, Danville, Virginia.

5. On her application for employment with Roman Eagle Memorial Home, Danville, Virginia, dated July 10, 2013; Ms. Cobbs failed to list her employment with Interim Health Care, Blue Ridge Rehabilitation Center, and Danville Regional Medical Center. She also listed her employment dates for Stratford Healthcare Center as "1/08" to "7-7-13." However, she failed to list the "reason for leaving" her employment, and was subsequently terminated July 7, 2013 for roughly handling a resident.

6. At the informal conference, Ms. Cobbs reported that she was still working at Roman Eagle Memorial Home.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007 (5) of the Code.
2. Findings of Fact No. 4 and No. 5 constitute violations of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Shirley Cobbs, C.N.A., is hereby REPRIMANDED.
2. Ms. Cobbs 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Cobbs may, not later than 5:00 p.m., on **August 25, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

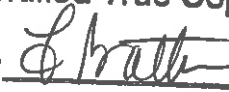
FOR THE BOARD:


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

ENTERED: July 22, 2014

This Order shall become final on **August 25, 2014**; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board Of Nursing