

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KEIANA GRAHAM, C.N.A.
Certificate No.: 1401-160444

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 May 7, 2014, in Henrico County, Virginia. Ms. Graham was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., 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. Graham 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. Keiana Graham, C.N.A., was issued Certificate No. 1401-160444 to practice as a nurse aide in Virginia on May 20, 2013. The certificate is scheduled to expire on May 31, 2015.
2. By letter dated April 1, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Graham notifying her that an informal conference would be held on May 7, 2014. The Notice was sent by certified and first class mail to 213 Lowden Hunt Drive, Hampton, Virginia 23666, the address of record on file with the Board of Nursing. Ms. Graham signed the certified mail receipt and returned it to the Board. The first class mail was not returned to the Board. The Agency Subordinate concluded that adequate notice was provided to Ms. Graham and the informal conference proceeded in her absence.

3. During her employment with Bright Star Healthcare, Williamsburg, Virginia, from July, 2013, to August 30, 2013, Ms. Graham stole a check from the checkbook of a home care client's wife, forged a check for \$56.16, and cashed it at the Food Lion in Grafton, Virginia. Ms. Graham's cashing the check was recorded on Food Lion's video surveillance camera. Ms. Graham admitted that she forged the check and cashed it. She reimbursed the amount stolen and a report was not filed with the police.

4. Ms. Graham's employment which began on June 4, 2013 was terminated on August 30, 2013.

5. Ms. Graham had been convicted of shoplifting in 2012.

6. Ms. Graham failed to respond to the Department of Health Professions Investigator's request for an interview.

CONCLUSIONS OF LAW

1. Finding of Fact No.3 constitutes a violation of § 54.1-3007(2), (3), (5) and (8) of the Code and 18 VAC 90-125-100(2)(h) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No.3 and Conclusion of Law No. 1 constitute a Finding of Misappropriation of patient property 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. 1401-160444 of Keiana Graham, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Graham 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. Graham'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. Graham failed to appear at the informal conference, this Order shall be considered final. Ms. Graham 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. Graham 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 22, 2014

Certified True Copy

By 
Virginia Board Of Nursing