

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TABITHA SANDFORD, C.N.A.
Certificate No.: 1401-013144

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 21, 2014, in Henrico County, Virginia, to inquire into evidence that Tabitha Sandford, C.N.A., may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by James E. Schliessmann, Senior Assistant Attorney General, and David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Sandford was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Tabitha Sandford, C.N.A., was issued Certificate No. 1401-013144 to practice as a nurse aide in Virginia on June 29, 1989. Said license expired on June 30, 2013.
2. On March 4, 2013, Ms. Sandford was convicted in the Circuit Court of Colonial Heights, Virginia, of a misdemeanor assault of an incapacitated adult. This conviction was based on a May 28, 2012, incident in which Ms. Sandford slapped an elderly resident in her care during the course of her employment at Colonial Heights Health Care and Rehabilitation Center.
3. Despite pleading guilty as charged, at the hearing before the Board of Nursing, Ms. Sandford denied slapping the resident.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 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. 2 and Conclusion of Law No. 1 constitutes a Finding of Abuse pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

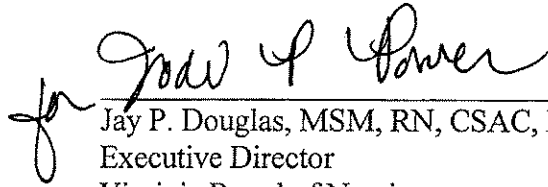
ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

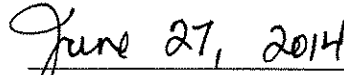
1. Certificate No. 1401-013144 issued to Tabitha Sandford, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia, is hereby REVOKED.
2. The certificate of Ms. Sandford will be recorded as REVOKED and no longer current.
3. A finding of abuse shall be ENTERED against Ms. Sandford in the Virginia 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. Sandford'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 §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 

Virginia Board Of Nursing