

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: STACEY WARD, C.N.A.  
Certificate No.: 1401-154248**

**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 March 13, 2014, in Henrico County, Virginia. Stacey Ward, C.N.A., was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Ward 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. Stacey A. Ward, C.N., was issued Certificate No. 1401-154248 to practice as a nurse aide in Virginia on July 11, 2012. The certificate is scheduled to expire on July 31, 2014.
2. By letter dated December 16, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Ward notifying her that an informal conference would be held on January 7, 2014. The Notice was sent by certified and first class mail to 125 Bedwell Street, Apt. 16D, Independence, Virginia 24348, the address of record on file with the Board of Nursing. The Notice sent by certified mail was delivered on December 18, 2013. Ms. Ward requested a continuance and by letter dated January 14, 2014, the Board notified Ms. Ward by certified mail that the informal conference was

scheduled for March 13, 2014. This letter was delivered to Ms. Ward on January 16, 2014. The Agency Subordinate concluded that adequate notice was provided to Ms. Ward and the informal conference proceeded in her absence.

3. On April 10, 2013, during the course of her employment with Waddell Nursing and Rehabilitation Center, Galax, Virginia, Ms. Ward stole approximately \$40.00 from Resident A's wallet.

4. Resident A, who is a paraplegic, stated to the investigator for the Department of Health Professions that he kept his money in a wallet in a backpack on the back of his chair. He stated that he heard Ms. Ward rustling with his backpack, as she looked over his shoulder while he was playing a game on his computer. Staff later found his money missing from his wallet when he asked another aide to get money out of his wallet for candy.

5. Between July 22, 2013 and August 24, 2013, during the course of her employment with Interim Healthcare, Wytheville, Virginia, while providing in-home care to Client B, Ms. Ward used the client's debit card to make unauthorized Automatic Teller Machine ("ATM") withdrawals totaling approximately \$3,000.00. Video surveillance showed Ms. Ward and a friend withdrawing money from an ATM. The video confirmed that she withdrew money from the ATM over ten times in a two month period.

6. Grayson County Adult Protective Services concluded that Ms. Ward financially exploited Client B.

7. On her application for employment with Interim Healthcare dated May 18, 2013:

a. Ms. Ward falsely indicated that her reason for leaving Waddell Nursing and Rehabilitation Center was "miscommunication (will explain)," when, in fact, her employment was terminated for stealing money from Client A as referenced above.

b. Ms. Ward falsely indicated that her reason for leaving Golden Living Nursing-

Blue Ridge, Galax, Virginia was “personal problems,” when, in fact, her employment was terminated.

c. Ms. Ward failed to reveal her prior employment with Grayson Nursing and Rehabilitation Center, and her reason for leaving.

8. On her application for employment with Waddell Nursing and Rehabilitation Center dated March 8, 2013:

a. Ms. Ward falsely indicated that her reason for leaving Golden Living Nursing was “will discuss.” When asked by staff for clarification, she indicated that she left because her son was sick for an extended time, and she was let go. However, her employment was terminated on December 20, 2012, due to misconduct.

b. Ms. Ward falsely indicated that her reason for leaving Grayson Nursing and Rehabilitation Center was “didn’t agree with the way they conducted themselves, “ when, in fact, her employment was terminated on June 8, 2012, due to absences during her probationary period. When asked by staff for clarification, she stated that she left due to excessive gossiping, and that she needed a change.

9. On an application for employment with Golden Living Center, dated July 17, 2012, Ms. Ward failed to reveal her prior employment with Grayson Nursing and Rehabilitation Center, and her reason for leaving.

10. Ms. Ward did not respond to requests for an interview from the investigator for the Department of Health Professions, but did she send a letter to the investigator denying the allegation that she stole money from Resident A. Ms. Ward admitted to using Resident B’s debit card but claimed the Resident gave her permission.

11. Effective April 10, 2013, Ms. Ward’s employment with Waddell Nursing and Rehabilitation Center was terminated.

**CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 3 and 5 constitute a violation of § 54.1-3007(2), (3), (5) and (8) of the Code and 18 VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides (“Regulations”).

2. Findings of Fact Nos. 7 through 9 constitute a violation of § 54.1-3007(2) and (3) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.

3. Findings of Fact Nos. 3 and 5 and Conclusion(s) 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:

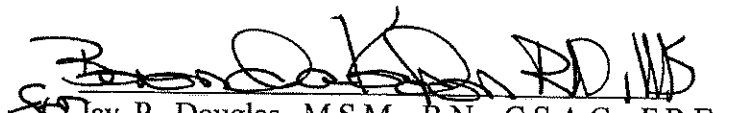
1. Certificate No. 1401-154248 of Stacey Ward to practice as a nurse aide is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Ward in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Ward’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. Ward failed to appear at the informal conference, this Order shall be considered final. Ms. Ward 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. Ward 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

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

Entered: March 30, 2014

**Certified True Copy**

By   
Virginia Board Of Nursing