

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KAREN ADKINS, C.N.A.
Certificate No.: 1401-112931

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 February 27, 2014, in Henrico County, Virginia. Karen Adkins, 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. Adkins 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. Karen Adkins was issued Certificate No. 1401-112931 to practice as a nurse aide in Virginia on March 2, 2006. The certificate is scheduled to expire on March 31, 2014.
2. By letter dated January 31, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Adkins notifying her that an informal conference would be held on February 27, 2014. The Notice was sent by certified and first class mail to 313 14th Avenue, Hinton, West Virginia 25951, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office marked "Not Deliverable as Addressed." The Notice sent by first class mail was returned to the Board office on February 11, 2014, marked "Not Deliverable as

Addressed.” The Agency Subordinate concluded that adequate notice was provided to Ms. Adkins and the informal conference proceeded in her absence.

3. On August 9, 2013, during the course of her employment with Riverview Nursing Home, Rich Creek, Virginia, while providing care to Resident A, Ms. Adkins yelled at the resident and pushed her from her side to her back in her bed. The incident was witnessed by another certified nurse aide, but there was no injury to the resident.

4. On August 15, 2013, Ms. Adkins’ employment with Riverview Nursing Home was terminated. She had been employed there since approximately 2006.

5. Ms. Adkins did not respond to repeated requests for an interview from the investigator for the Department of Health Professions.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 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. 3 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER

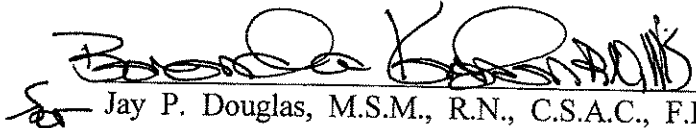
WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-112931 of Karen Adkins to practice as a nurse aide is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Ms. Adkins 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. Adkins’ 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. Adkins failed to appear at the informal conference, this Order shall be considered final. Ms. Adkins 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. Adkins 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 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: May 29, 2014

Certified True Copy

By 
Virginia Board Of Nursing