

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       PATRICIA COLEBUT, C.N.A.**  
**Certificate No.: 1401-153497**

**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. Patricia Colebut, 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. Colebut 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. Patricia Colebut, C.N.A., was issued Certificate No. 1401-153497 to practice as a nurse aide in Virginia on June 11, 2012. The certificate is scheduled to expire on June 30, 2014.
2. By letter dated January 28, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Colebut notifying her that an informal conference would be held on February 27, 2014. The Notice was sent by certified and first class mail to 2 Belmont Court, Apt. 204, Hampton, Virginia 23666, the address of record on file with the Board of Nursing. The Notice was also sent to 9 Preakness Lane, Apt. 101, Hampton, Virginia 23666. The Notice sent by certified mail to the address of record was returned to the Board on February 6, 2014, marked "Forward Time Expired." The

Notice sent to the secondary address was signed for by Ms. Colebut on February 6, 2014. As of February 27, 2014, the Notices sent by first class mail to the address of record and the secondary address had not been returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Colebut and the informal conference proceeded in her absence.

3. On December 8, 2012, during the course of her employment with Maxim Healthcare Services, Newport News, Virginia, by her own admission, Ms. Colebut fell asleep while providing in-home care to Client A. There was no harm to the patient as a result of this incident.

4. Ms. Colebut was disciplined by Maxim Healthcare Services, and taken off this case and reassigned to another. She had been employed with Maxim since July 2012 after becoming certified.

#### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:


1. Patricia Colebut, C.N.A., is hereby REPRIMANDED.
2. Ms. Colebut shall maintain a course of conduct in her capacity as a certified 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.

Since Ms. Colebut failed to appear at the informal conference, this Order shall be considered final. Ms. Colebut 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. Colebut 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

  
Sr 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