

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TINA R. SHEETS, C.N.A.
Certificate No.: 1401-037266

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 January 7, 2014, in Henrico County, Virginia. Tina R. Sheets, C.N.A., was not present, nor was she represented by legal counsel. Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Sheets 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. Tina R. Sheets, C.N.A., was issued Certificate No. 1401-037266 to practice as a nurse aide in Virginia on April 17, 1993. The certificate is scheduled to expire on April 30, 2014.
2. By letter dated December 9, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Sheets notifying her that an informal conference would be held on January 7, 2014. The Notice was sent by certified and first class mail to 165 Hildebrand Circle, Staunton, Virginia 24401, the address of record on file with the Board of Nursing. Neither the certified mailing nor the first class mailing was returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Sheets and the informal conference proceeded in her absence.

3. By her own admission, on September 22, 2013, during the course of her employment with Team Nurse Verona, Verona, Virginia, while providing in-home care to Client A, Ms. Sheets asked for and accepted Vicodin (hydrocodone, Schedule II) from the client's personal supply for her own personal and unauthorized use.

4. When interviewed by an investigator with the Virginia Department of Health Professions on October 3, 2013, Ms. Sheets stated that she suffers with chronic back pain, and on the day in question, she was in a lot of pain and decided to ask the client for one of his pain pills. She reported that the client offered her two pills and told her to take two pills home with her. She stated that she ended up accepting five pills from him that day.

5. She stated that she has never asked for or accepted medication from any patient before this incident. She also stated that she does not have a substance abuse problem and is prescribed narcotics by her doctor on a regular basis for her chronic back pain.

6. Ms. Sheets' employment with Team Nurse Verona was terminated as a result of this incident.

7. Prior to the incident, Ms. Sheets had been a certified nurse aide for over 20 years with no prior disciplinary action.

8. As of October 13, 2013 Ms. Sheets was working at 7/11.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(c) of the Regulations Governing Certified Nurse Aides of the Code("Regulations").

ORDER

WHEREFORE, it is hereby ORDERED as follows:

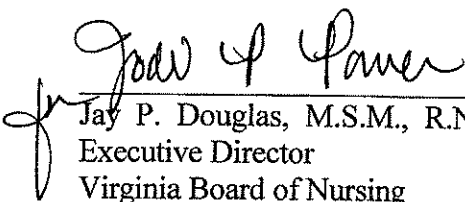
1. Tina R. Sheets, C.N.A., is hereby REPRIMANDED.

2. Ms. Sheets shall maintain a course of conduct in her capacity as a 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. Sheets failed to appear at the informal conference, this Order shall be considered final. Ms. Sheets 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. Sheets 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: March 27, 2014

Certified True Copy

By 
Virginia Board Of Nursing