

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CAROLYN FITCHETT, C.N.A.  
Certificate No.: 1401-093320**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Carolyn Fitchett, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Fitchett's certificate to practice as a nurse aide in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Carolyn Fitchett, C.N.A., was issued Certificate No. 1401-093320 to practice as a nurse aide by the Virginia Board of Nursing on July 12, 2002. Said certificate is set to expire on July 31, 2014.
2. During the course of her employment with Eastern State Hospital, Williamsburg, Virginia, on May 6, 2013, Ms. Fitchett failed to accompany her assigned patient from the game room to the restroom. The patient later claimed to have been raped by another patient in the restroom, but that claim was not substantiated.
3. Due to the longevity of her employment, the lack of prior complaints, and her satisfactory work performance, Ms. Fitchett's employment with Eastern State was not terminated.

**CONCLUSIONS OF LAW**

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(5) of the Code of Virginia (1950), as amended ("Code").

**CONSENT**

Carolyn Fitchett, C.N.A., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice as a nurse aide in Virginia.

**ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Carolyn Fitchett, C.N.A., is hereby REPRIMANDED.
2. Ms. Fitchett 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 §§ 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 upon request.

FOR THE BOARD

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

ENTERED: March 24, 2014

SEEN AND AGREED TO:

*Carolyn Fitchett*  
Carolyn Fitchett, C.N.A.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF York, TO WIT:

Subscribed and sworn to before me, Stephanie M Highsmith Notary Public, this 18 day of March, 2014.

My commission expires 12/31/17.

Registration Number 7555470.

*Stephanie M. Highsmith*  
NOTARY PUBLIC

Stephanie M. Highsmith  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #7555470  
My Commission Expires 12/31/17

Certified True Copy  
By [Signature]  
Virginia Board Of Nursing