

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: AMANDA LASHBAUGH, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-122652

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 9, 2015, in Henrico County, Virginia, to receive and act upon Amanda Lashbaugh’s application for reinstatement of her certificate to practice as a nurse aide in Virginia, and to receive and act upon her petition for removal of a finding of neglect pursuant to an Order of the Board entered March 18, 2014. Ms. Lashbaugh was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amanda Lashbaugh was issued Certificate No. 1401-122652 to practice as a nurse aide in the Commonwealth of Virginia on January 30, 2008. Pursuant to a Consent Order of the Board entered March 18, 2014, said certificate was indefinitely suspended for a period of not less than one year, and a Finding of Neglect was entered against Ms. Lashbaugh based on action taken against her certificate to practice as a nurse aide in the State of West Virginia. More specifically, by a Final Administrative Order dated September 6, 2013, the West Virginia Department of Health and Human Resources placed Ms. Lashbaugh on the West Virginia Long Term Care Nurse Aide Abuse Registry for neglect of a resident.

2. By letter dated October 21, 2014, the West Virginia Department of Health and Human Resources removed Ms. Lashbaugh’s name from the West Virginia Long Term Care Nurse Aide Abuse Registry.

3. On December 16, 2014, Ms. Lashbaugh petitioned the Board for reinstatement of her certificate and removal of the finding of neglect.

4. By letter dated January 12, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Lashbaugh notifying her that an informal conference would be held on February 9, 2015. The Notice was sent by certified and first class mail to 110 Pipestem Court, Martinsburg, West Virginia 25401, the address of record on file with the Board of Nursing.

4. At the informal conference, in relation to the incident that gave rise to the finding of neglect, Ms. Lashbaugh stated that when she checked the resident during her rounds, he was dry. She stated that about two to three hours after she checked the resident, she was informed by the resident’s family that he needed to be changed. She indicated that this was during meal pass, and it was facility policy that personal care was not to be provided during that time. She stated that when she returned after meal pass to change the resident, his significant other had already provided the resident with incontinent care. Ms. Lashbaugh stated that she learned from this experience and will immediately provide residents with any necessary care in the future.

CONCLUSIONS OF LAW

1. The Committee concludes that Ms. Lashbaugh has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

2. Further, the Committee concludes that Ms. Lashbaugh has demonstrated sufficient evidence that her employment and personal history do not reflect a pattern of abusive behavior or neglect, pursuant to 18 VAC 90-25-80(C) of the Board of Nursing Regulations.

ORDER


On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The application of Amanda Lashbaugh for reinstatement of her certificate to practice as a nurse aide in Virginia is APPROVED.
2. Ms. Lashbaugh's petition for removal of the finding of neglect is hereby GRANTED.
3. Ms. Lashbaugh 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 Regulations Governing Certified Nurse Aide.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Lashbaugh may, not later than 5:00 p.m., on **April 3, 2015**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED: March 2, 2015

This Order shall become final on **April 3, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing