

FEB 19 2014
DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

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

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Amanda Lashbaugh, C.N.A., was issued Certificate No. 1401-122652 by the Virginia Board of Nursing on January 30, 2008. Said certificate is set to expire on January 31, 2014.
2. By Final Administrative Order dated September 6, 2013, the West Virginia Department of Health and Human Resources placed Ms. Lashbaugh on the Nurse Aide Abuse Registry for neglect of a resident. The action was based on findings that during the course of her employment with Willow Tree Manor, Charles Town, West Virginia:
 - a. On August 27, 2012, and while working the 3:00 p.m. to 11:00 p.m. shift, Ms. Lashbaugh failed to provide any care to Resident A, whose care plan required that he be checked and changed every two hours. As a result of Ms. Lashbaugh's neglect, Resident A suffered open ulcers on his body.
 - b. On August 18, 2011, Ms. Lashbaugh failed to assess Resident B and provide timely incontinent care. Co-workers found Resident B with a saturated brief.

3. In a letter dated November 22, 2013, to a Department of Health Professions investigator, Ms. Lashbaugh wrote that she did not have time to care for Resident A because of her other assigned duties. With regard to Resident B, Ms. Lashbaugh wrote that she checked Resident B around breakfast, but she did not check Resident B herself before she went to lunch.

4. Ms. Lashbaugh is currently employed outside the health care profession.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), (7), and (8) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides.

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

CONSENT

Amanda Lashbaugh, 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 certified nurse aide in Virginia.

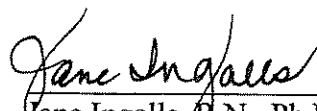
ORDER

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. Certificate No. 1401-122652 of Amanda Lashbaugh, C.N.A., is INDEFINITELY SUSPENDED for a period of not less than one year.
2. The certificate will be recorded as suspended and no longer current.
3. A Finding of Neglect shall be ENTERED against Ms. Lashbaugh 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. Lashbaugh's 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 §§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



Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: March 18, 2014

SEEN AND AGREED TO:

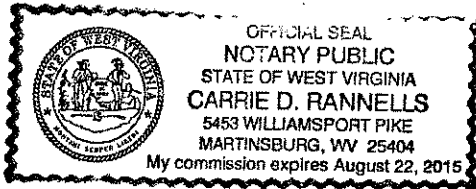
Amanda
Amanda Lashbaugh, C.N.A.

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

Subscribed and sworn to before me, Carrie Rannells, a Notary Public, this 7 day of February, 2014.

My commission expires August 22, 2015.

Registration Number _____



Carrie Rannells
NOTARY PUBLIC

Certified True Copy

By L. Brath
Virginia Board Of Nursing