



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

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Virginia Board of Nursing
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January 9, 2006

Charlotte A. Mason, C.N.A.
108 Bellamy Avenue
Norfolk, VA 23523

CERTIFIED MAIL
71603901984887261178

Re: License No.: 1401-092078
Expiration Date: 05/31/06
Case No.: 99687

Dear Ms. Mason:

This is official notification that an Informal Conference will be held, pursuant to §§ 2.2-4019, 2.204021, and 54.1-2400(10) of the Code of Virginia (1950), as amended, on **February 23, 2006, at 1:00 p.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee ("Committee"), which is comprised of two members of the Virginia Board of nursing, will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia. Specifically, you may have violated § 54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-25-100(2)(e) of the Board of Nursing Regulations, in that:

On or about September 26, 2004, during the course of your employment with Tandem Health Care Center, Norfolk, Virginia, you were overheard yelling in the doorway of Resident A's room, "Y'all better come and get the m__f__. This b__ is getting on my nerves," and that you were going to "f__ her up," or words to that effect. The resident cried upon hearing this. As a result of this incident, your employment was terminated.

The Committee is authorized by § 54.1-2400 of the Code of Virginia (1950), as amended, to take any of the following actions upon the conclusion of the Informal Conference:

1. If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee may dismiss the case;
2. The Committee may place your license on probation under such terms as it may deem appropriate;
3. The Committee may reprimand you;

4. The Committee may impose a monetary penalty;

5. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee may offer you a consent order in lieu of a formal hearing.

If the Committee finds that there is sufficient evidence to find you in violation of the above charge(s) and of § 54.1-3007(8) of the Code of Virginia (1950), as amended, the Committee shall make a finding of abuse, neglect, or misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry as required by 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). Pursuant to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

If you fail to appear at the Informal Conference, the Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

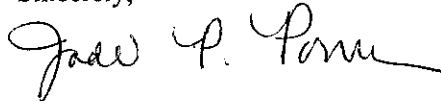
At least ten (10) days prior to the scheduled date of the Informal Conference, please inform this office of your current telephone number and whether you intend to appear at the conference. You may either call this office at (804) 662-9075 or write to us at the address listed above to provide this information.

You have the right to the information that will be relied on by the Board in making a decision. Accordingly, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing the allegations with you and when deliberating on your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

If you have any additional documents to be presented to the Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as laws and regulations relating to nurse aide practice in Virginia that are cited in this notice.

Sincerely,



Jodi P. Power, R.N., J.D.
Deputy Executive Director
Nurse Aide Registry Manager

Enclosures

cc: Robert Nebiker, Director
Joyce M. Shelton-Jones, Senior Administrative Investigator
James L. Banning, Director for Administrative Proceedings
Anne G. Joseph, Deputy Director for Administrative Proceedings