

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MEGAN JACKSON, C.N.A.
Certificate No.: 1401-147900

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 November 5, 2013, in Henrico County, Virginia. Megan Jackson, C.N.A., was present and was not represented by legal counsel. Nancy Durrett, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Jackson was not present nor was she represented by legal counsel. Ms. Jackson submitted written comments/objections.

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. Megan Jackson, C.N.A., was issued Certificate No. 1401-147900 to practice as a nurse aide in Virginia on September 13, 2011. The certificate is scheduled to expire on September 13, 2014.
2. By letter dated October 8, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Jackson notifying her that an informal conference would be held on November 5, 2013. The Notice was sent by certified and first class mail to 4506 Welford Avenue, Richmond, Virginia, 23234, the address of record on file with the Board of Nursing, and to 2106 Mercer Avenue, Richmond, Virginia, 24017, a secondary address.

3. During the course of her employment with The Crossings at Bon Air, Richmond, Virginia, or about May 6, 2013, Ms. Jackson taunted Resident A by taking her baby doll, to which the resident is very attached, throwing it around, kicking it, and laughing at the resident's reaction. Resident A is known to rock and cuddle this doll and two other dolls like real babies.

4. The incident, which took place over the course of several minutes, was recorded on the facility's surveillance video.

5. On the video, Resident A did not appear amused by Ms. Jackson's actions or appear that she was enjoying the situation.

6. Ms. Jackson's employment with The Crossings at Bon Air was terminated.

7. At the informal conference, Ms. Jackson denied that she was playing with the doll to taunt the resident.

8. Ms. Jackson is currently employed at a call center and is not working as a C.N.A.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) 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. 3 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D).

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-147900 of Megan Jackson, C.N.A., is REVOKED.
2. A Finding of Abuse shall be ENTERED against Ms. Jackson 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 Jackson'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 § 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Jackson may, not later than 5:00 p.m., on **March 17, 2014**, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., 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 BOARD:


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

ENTERED: Feb. 10, 2014

This Order shall become final on March 17, 2014; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board Of Nursing