

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: VANESSA JONES, C.N.A.
License No.: 1401-004028**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on January 30, 2014, in Henrico County, Virginia, to inquire into evidence that Vanessa Jones, C.N.A., may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Jones was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Vanessa Jones, C.N.A., was issued Certificate No. 1401-004028 to practice as a nurse aide in Virginia on March 23, 1989. Said certificate is scheduled to expire on March 31, 2014.
2. Based upon the representations of Mr. Kazzie and Commonwealth's Exhibits #1 and #2, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. During the course of her employment with Envoy of Stratford Hills, Richmond, Virginia, on multiple occasions in 2012 and 2013, Ms. Jones acted inappropriately and failed to provide adequate care to residents. This included failing to provide drinking water to two residents when requested, activating the resident's air conditioning after he complained of being cold and refusing to turn it off, shaving the resident's head when he had not requested a haircut, and calling a resident "a bastard."

4. Both residents were alert and oriented.
5. On her May 4, 2010, application for employment with Envoy of Stratford Hills, Richmond, Virginia, Ms. Jones failed to disclose that her employment with Westport Convalescent Center, Richmond, Virginia, had been terminated on September 3, 2009, stating instead that her reason for leaving was personal.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides ("Regulations").
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations.
3. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a finding of abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.


ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Certificate No. 1401-004028 issued to Vanessa Jones, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia, is hereby REVOKED.
2. A finding of abuse shall be ENTERED against Ms. Jones 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. Jones' 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 on request.

FOR THE BOARD


Sr Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

Feb 7, 2014
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy
By 
Virginia Board of Nursing