

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHAWANNA BROWN, C.N.A.
Certificate No.: 1401-152776

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 October 22, 2013, in Henrico County, Virginia. Ms. Brown was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S., 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. Brown was not present nor was she represented by legal counsel.

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. Shawanna Brown was issued Certificate No. 1401-152776 to practice as a nurse aide in Virginia on May, 23, 2012. The certificate is scheduled to expire on May 31, 2014.
2. By letter dated October 1, 2013, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Brown notifying her that an informal conference would be held on October 22, 2013. The Notice was sent by certified and first class mail to 2163 Carter G. Woodson Road, New Canton, Virginia 23123, the address of record on file with the Board of Nursing. The Notice was also sent to 400 Garrett Street, Apt. B., Charlottesville, VA 22902, a secondary address. A certified mail receipt was signed and the first class mail was not returned to the Board. The Agency Subordinate

concluded that adequate notice was provided to Ms. Brown and the informal conference proceeded in her absence.

3. On April 20, 2013, during her employment with Trinity Mission of Charlottesville, Charlottesville, Virginia (“Trinity Mission”), Ms. Brown failed to follow the plan of care that required the use of a Hoyer lift when transferring Resident A. Ms. Brown and another aide that she was orienting, transferred Resident A to the bed without use of the Hoyer lift and Resident A slipped off the bed. Ms. Brown reported the resident’s fall to the floor charge nurse.

4. The following day, Resident A was diagnosed with a left proximal tibia fracture and a right proximal fibula fracture.

5. Ms. Brown’s employment was terminated as a result of the incident described in Finding of Fact No. 3.

6. Ms. Brown told the investigator from the Department of Health Professions that she has not worked as a C.N.A. since her employment at Trinity Mission was terminated.

7. Ms. Brown worked at two other facilities prior to working for Trinity Mission in August 2012, but quit both of these positions without giving notice.

CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of § 54.1-3007 (5) of the Code.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Shawanna Brown, C.N.A., is hereby REPRIMANDED.
2. Ms. Brown 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 Board of Nursing Regulations.

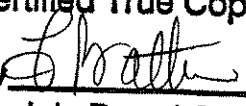
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Brown failed to appear at the informal conference, this Order shall be considered final. Ms. Brown has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Brown has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

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. 6, 2014

Certified True Copy
By 
Virginia Board Of Nursing