

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHERYL JONES, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-036121

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 July 17, 2014, in Henrico County, Virginia, to receive and act upon Cheryl Jones' application for reinstatement of her certificate to practice as a nurse aide in Virginia, which was mandatorily suspended by the Department of Health Professions on January 13, 2014, and to inquire into evidence that Ms. Jones may have violated certain laws governing nurse aide practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Jones was 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. Cheryl Jones was issued Certificate No. 1401-036121 to practice as a nurse aide in the Commonwealth of Virginia on January 23, 1993. Said certificate was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Director of the Department of Health Professions on January 13, 2014.
2. Ms. Jones submitted an application for reinstatement of said certificate to the Board, which was received on May 16, 2014.
3. Ms. Jones' certificate to practice as a nurse aide in the State of Maryland was revoked by a

Final Order of Revocation of Certified Nursing Assistant Certificate dated March 24, 2009, due to findings that she was non-compliant with the terms and conditions of an Order of Probation dated August 23, 2005, based on her failure to timely submit work-site reports and self-reports. The Maryland Board's revocation of Ms. Jones' certified nursing assistant certificate was the basis of the mandatory suspension of her nurse aide certificate in Virginia.

4. On January 8, 2003, Ms. Jones was convicted of issuing a bad check in the General District Court of King George County, Virginia.

5. Ms. Jones testified that the Maryland Board of Nursing reinstated her CNA certificate on probation in May 2014. She stated that she is currently in compliance with that probation and is not practicing in Maryland.

6. Ms. Jones testified that she has fulfilled all of the terms required from the conviction listed in Finding of Fact No. 4.

7. Ms. Jones is currently employed with Comfort Keepers, where she provides safety checks and housekeeping for clients. She last worked as a CNA in Virginia in January 2014. She testified that she desires to achieve her LPN license and return to work at Carriage Hill, where she worked until January 2014.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
3. Ms. Jones has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER


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

1. By affirmative vote of at least three-fourths of the members of the Board at the hearing, Certificate No. 1401-036121, issued to Cheryl Jones to practice as a nurse aide in the Commonwealth of Virginia, is hereby REINSTATED.

2. Ms. Jones 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 §§ 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



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

August 1, 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, MSM, RN, CSAC, FRE, 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