

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

PATRICE L. SHEFTALL, C.N.A.

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 May 19, 2010, in Henrico County, Virginia, to inquire into evidence that Patrice L. Sheftall, C.N.A., may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Sheftall 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. Patrice L. Sheftall, C.N.A., was issued Certificate No. 1401-123525 to practice as a nurse aide in the Commonwealth of Virginia on March 29, 2008. Said certificate expired on March 31, 2010.
2. Based upon the representations of Tammie D. Jones and Commonwealth's Exhibit #1, 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. On August 6, 2009, Ms. Sheftall was admitted to CJW Chippenham Medical Center - Tucker Pavilion, Richmond, Virginia, with a diagnosis of Major Depression, Recurrent. Upon her admission, Ms. Sheftall tested positive for tetrahydrocannabinol (THC), opiates, and benzodiazepines.
4. On September 4, 2009, during an interview with an investigator from the Department of Health Professions ("DHP"), Ms. Sheftall's case manager from the Chesterfield County Mental Health

Services reported that Ms. Sheftall was receiving treatment for issues related to the management of prescription drug use.

5. On October 23, 2009, during an interview with an investigator from the DHP, Ms. Sheftall's primary care physician stated that as a result of the positive drug screen for THC, the physicians at CJW Medical Center took Ms. Sheftall off of the hydrocodone and Ativan, and she also refused Ms. Sheftall's request for refills of those medications. She has had no further contact with Ms. Sheftall.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact Nos. 3, 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

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

1. The right of Patrice L. Sheftall, C.N.A., to renew Certificate No. 1401-123525 to practice as a nurse aide in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.

2. The certificate of Patrice L. Sheftall, C.N.A., will be recorded as SUSPENDED and no longer current. Should Ms. Sheftall seek reinstatement of her certificate consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her certificate prior to issuance of her certificate to resume practice.

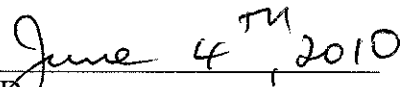
At such time as Ms. Sheftall shall petition the Board for reinstatement of her certificate, a hearing will be convened to determine whether she is able to return to the safe and competent practice as a nurse aide.

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



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



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.