

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KRISTIE L. WASHINGTON, C.N.A.
 Certificate No.: 1401-061775**

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 September 10, 2013, in Henrico County, Virginia. Kristie L. Washington, C.N.A., was not present nor was she represented by legal counsel. Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Washington 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. Kristie L. Washington, C.N.A., was issued Certificate No. 1401-061775 to practice as a nurse aide in Virginia on September 14, 1996. The certificate expired on September 30, 2013.
2. By letter dated August 15, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Washington notifying her that an informal conference would be held on September 10, 2013. The Notice was sent by certified and first class mail to 491 Gaskins Road, Weems, Virginia 22576, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office marked "unclaimed." The Notice sent by first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Washington and

the informal conference proceeded in her absence.

3. During the course of her employment with Lancashire Convalescent and Rehabilitation Center, Kilmarnock, Virginia, in November, 2012, Ms. Washington took Resident A's cell phone home without her permission and used it to place phone calls and text messages until December 27, 2012.

4. On April 17, 2013, during an interview with an investigator from the Department of Health Professions, Ms. Washington acknowledged that she took the resident's cell phone home and that she returned it once she got a phone of her own. Ms. Washington's employment was terminated effective December 28, 2012.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (8) of the Code.
2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of misappropriation of patient property pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER

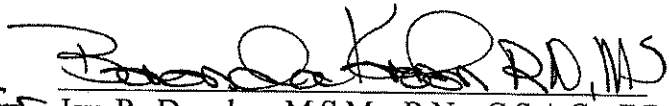
WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-061775 of Kristie L. Washington, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Washington 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. Washington'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.

Since Ms. Washington failed to appear at the informal conference, this Order shall be considered final. Ms. Washington 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. Washington 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


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

Entered: December 3, 2013