

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           CRYSTAL D. JEFFERSON, C.N.A.**  
**Certificate No.: 1401-114937**

**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. Crystal D. Jefferson, 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. Jefferson was not present nor was she represented by legal counsel. Ms. Jefferson submitted written comments/objections.

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. Crystal D. Jefferson, C.N.A., was issued Certificate No. 1401-114937 to practice as a nurse aide in Virginia on July 19, 2006. The certificate is scheduled to expire on July 31, 2014. By Order entered February 8, 2010, Ms. Jefferson was reprimanded for failing to provide timely incontinent care and falsifying employment applications.

2. By letter dated August 14, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Jefferson notifying her that an informal conference would be held on September 10, 2013. The Notice was sent by certified and first class mail to P. O. Box 24, Fries, Virginia 24330, the address of record on file with the Board of Nursing. The certified mail receipt was signed on August 16, 2013. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Jefferson and the informal conference proceeded in her absence.

3. During the course of her employment with Grayson Nursing and Rehabilitation Center, Independence, Virginia, on January 12, 2013, three employees witnessed Ms. Jefferson speak to Resident A in a loud voice, curse at her and tell her to sit down and shut up.

4. Ms. Jefferson denied to the Investigator cursing or yelling at the resident but stated she might have been a little loud because the resident is hard of hearing. Ms. Jefferson's employment was terminated on January 14, 2013, as a result of this incident.

5. Ms. Jefferson falsified the employment application with Grayson Nursing and Rehabilitation Center dated February 9, 2010, in that she failed to reveal her employment at Carrington Place, Wytheville, Virginia, and reason for leaving, which was termination. Ms. Jefferson also indicated that she left Waddell Nursing Home to get a better job, when, in fact, her employment was terminated.

6. Ms. Jefferson falsified the employment application with Southwest Training Center electronically signed on April 18, 2013, in that she failed to reveal her employment at Grayson Nursing and Rehabilitation Center, and Ms. Jefferson indicated that she left Waddell Nursing Home and Trinity Mission for a better job opportunity, when, in fact, her employment was terminated from both facilities.

7. Ms. Jefferson falsified the employment application with Interim Healthcare electronically signed on March 16, 2013, in that she failed to reveal any of her past employment.

#### CONCLUSIONS OF LAW

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. Findings of Fact Nos. 5-7 constitute a violation of § 54.1-3007(2) of the Code 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, it is hereby ORDERED as follows:

1. Certificate No. 1401-114937 of Crystal D. Jefferson, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Ms. Jefferson 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. Jefferson'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. Jefferson failed to appear at the informal conference, this Order shall be considered final. Ms. Jefferson 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. Jefferson 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

  
for 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