

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MEISHA L. THOMPSON, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-147811

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 September 19, 2013, in Henrico County, Virginia, to receive and act upon Meisha L. Thompson's application for reinstatement of certificate to practice as a nurse aide in Virginia, which was mandatorily suspended by the Department of Health Professions on April 5, 2013, and to inquire into evidence that Ms. Thompson may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Thompson 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. Meisha L. Thompson, C.N.A., was issued Certificate No. 1401-1147811 to practice as a nurse aide in the Commonwealth of Virginia on September 13, 2011. Said registration was mandatorily suspended by the Department of Health Professions on April 5, 2013. Ms. Thompson applied for reinstatement of her nurse aide certificate on June 3, 2013.
2. Based upon the representations of Mr. Kazzie and Commonwealth's Exhibits #1 and #2, 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 October 17, 2007, Ms. Thompson was convicted in the Circuit Court of the City of Norfolk, Virginia, of conspiracy to commit larceny, a misdemeanor involving moral turpitude.

4. On August 28, 2007, Ms. Thompson was convicted in the Circuit Court of the City of Chesapeake, Virginia, of grand larceny, a felony.

5. On June 14, 2007, Ms. Thompson was convicted in the General District Court of Virginia Beach, Virginia, of two counts of petit larceny, misdemeanors involving moral turpitude.

6. Upon discovering the August 28, 2007, conviction, the Department of Health Professions mandatorily suspended Ms. Thompson's nurse aide certificate on April 5, 2013.

7. On her August 7, 2011, application for certification by examination as a nurse aide, Ms. Thompson falsely answered NO to the question asking whether she had "ever been convicted of, pled guilty to or pled no contest to the violation of any federal, state, or other law constituting a felony or misdemeanor excluding traffic violations except convictions for driving while intoxicated (DWI) or driving under the influence (DUI)."

8. During the course of her employment with Heritage Hall, Virginia Beach, Virginia, on February 13, 2013, Ms. Thompson failed to change incontinence briefs for Resident A and Resident B after the residents requested to be changed.

9. On her August 27, 2012, application for employment with Heritage Hall, Ms. Thompson submitted a false social security number and date of birth for the purposes of the criminal background check and she failed to disclose multiple prior criminal convictions.

10. Ms. Thompson's employment with Heritage Hall was terminated.

11. On her April 24, 2013 criminal background check authorization form for Personal Touch Home Care of Virginia, Inc., Ms. Thompson submitted a false social security number and date of birth for the purposes of the criminal background check, and she failed to disclose multiple prior criminal convictions.

12. Between April 5, 2013, the date the Department of Health Professions suspended her

certificate to practice as a nurse aide, and on June 14, 2013, Ms. Thompson practiced as a nurse aide without an active certificate during the course of her employment with Personal Touch Home Care of Virginia, Inc.

13. On her February 7, 2012, application for employment with Best & Dependable Professional Nursing Care, Ms. Thompson failed to disclose multiple prior criminal convictions.

14. On her June 3, 2013, application for reinstatement of her nurse aide certificate, Ms. Thompson disclosed only her felony grand larceny conviction and failed to disclose other criminal convictions.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 through 5 constitute violations of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides ("Regulations").
3. Finding of Fact No. 8 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.
4. Finding of Fact Nos. 9, 11, and 13 constitute violations of § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.
5. Finding of Fact No. 14 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations.
6. Finding of Fact No. 3 and Conclusion of Law No. 3 constitute findings of neglect pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.
7. Ms. Thompson has not demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

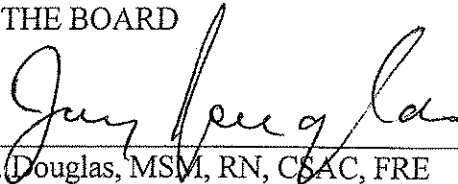
ORDER

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

1. The application of Meisha L. Thompson for reinstatement of Certificate No. 1401-147811 to practice as a nurse aide in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing.
2. The right of Meisha L. Thompson to renew Certificate No. 1401-147811 to practice as a nurse aide in the Commonwealth of Virginia is hereby REVOKED.
3. The certificate of Meisha L. Thompson will be recorded as REVOKED.
4. Findings of neglect shall be ENTERED against Ms. Thompson 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). These findings prohibit Ms. Thompson'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 §§ 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, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

October 3RD, 2013

ENTERED

Certified True Copy
By drahan
Virginia Board of Nursing

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.