

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TROY COTTRELL, C.N.A.
Certificate No.: 1401-157429

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Troy Cottrell, C.N.A., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Cottrell's certificate to practice as a nurse aide in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Troy Cottrell was issued Certificate No. 1401-157429 to practice as a nurse aide by the Virginia Board of Nursing on January 4, 2013. Said certificate is set to expire on January 31, 2015.
2. On January 8, 2013, during his employment at Golden Living-Alleghany, Clifton Forge, Virginia, Mr. Cottrell fell while transferring Resident A from his bed to his wheelchair. As a result, Resident A hit his head on the side rail of the bed causing a laceration to Resident A's eye. The instructions for Resident A's care stated that when Resident A is transferred, two staff members are required.
3. Golden Living-Alleghany terminated Mr. Cottrell's employment on January 11, 2013.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(5) of the Code of Virginia (1950), as amended ("Code").

CONSENT

Troy Cottrell, C.N.A., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;

2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. He acknowledges that he has the following rights, among others: the right to an informal fact-finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;

4. He waives all such right to an informal conference;

5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. He consents to the entry of the following Order affecting his right to practice as a nurse aide in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Troy Cottrell, C.N.A., is hereby REPRIMANDED.

2. Mr. Cottrell shall maintain a course of conduct in his 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 upon request.

FOR THE BOARD

Jay P. Douglas

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

ENTERED: October 3RD, 2013

SEEN AND AGREED TO:

Troy Cottrell C.N.A.
Troy Cottrell, C.N.A.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Alleghany, TO WIT:

Subscribed and sworn to before me, Melanie M. Walton, a Notary Public, this 21st day of September, 2013.

My commission expires June 30, 2016.

Registration Number 324956.

MELANIE M WALTON
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #324956
My Commission Expires June 30, 2016

Melanie M. Walton
NOTARY PUBLIC

Certified True Copy

By *[Signature]*
Virginia Board Of Nursing