

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: Shauna Grady, C.N.A.
Certificate No.: 1401-109718**

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 August 6, 2013, in Henrico County, Virginia. Shauna Grady, C.N.A., was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 18, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Grady 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. Shauna Grady, C.N.A., was issued Certificate No. 1401-109718 to practice as a nurse aide in Virginia on July 21, 2005. The certificate expired on July 31, 2013.
2. By letter dated July 10, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Grady notifying her that an informal conference would be held on August 6, 2013. The Notice was sent by certified and first class mail to 3420 Dry Powder Circle Apt. 101, Dumfries, Virginia 22026, the address of record on file with the Board of Nursing. The certified mail was returned to the Board's office marked "return to sender-unable to forward." The first class mail was not returned to the Board's office. The Agency Subordinate concluded that adequate notice was provided to Ms. Grady and the informal conference proceeded in her absence.
3. During Ms. Grady's employment with Envoy of Woodbridge, Woodbridge, Virginia, from December 2012 to January 2013, she stole a credit card from Resident A, and she used the credit card to purchase personal items. In an interview with a Department of Health Professions investigator on May 13,

2013, Ms. Grady admitted to stealing and using Resident A's credit card.

4. Ms. Grady was convicted of the following misdemeanors involving moral turpitude as a result of her theft in Finding of Fact No. 3:

a. On February 25, 2013, she was convicted of two counts of obtaining money under false pretenses of a value of less than \$200.00 in the Prince William County, Virginia, General District Court.

b. On June 3, 2013, she was convicted of three counts of obtaining money under false pretenses of a value of less than \$200.00 in the Prince William County, Virginia, General District Court.

5. Envoy of Woodbridge terminated Ms. Grady's employment on January 25, 2013, after employing her for seven years, as a result of the theft.

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)(h) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.

3. Findings of Fact No. 3 and 4, Conclusion of Law No. 1 constitute Findings 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. 1401-109718 of Shauna Grady, C.N.A., is REVOKED.

2. The certificate will be recorded as revoked and no longer current.

3. Findings of Misappropriation of patient property shall be ENTERED against Ms. Grady 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. Grady'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. Grady failed to appear at the informal conference, this Order shall be considered final. Ms. Grady 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. Grady 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



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

Entered: September 25th, 2013

Certified True Copy

By 
Virginia Board of Nursing