

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LAGINA EDWARDS, C.N.A., R.M.A.
 Certificate No. 1401-117464
 Registration No. 0031-006030**

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 June 20, 2013, in Henrico County, Virginia. LaGina Edwards, C.N.A., R.M.A., was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., 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. Edwards 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. LaGina Edwards, C.N.A., R.M.A., was issued Certificate No. 1401-117464 to practice as a nurse aide in Virginia on January 25, 2007. The certificate is scheduled to expire on January 31, 2014. Ms. Edwards was issued Registration No. 0031-006030 to practice as a medication aide in Virginia on July 10, 2012. The registration is scheduled to expire on October 31, 2013.
2. By letter dated May 22, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Edwards notifying her that an informal conference would be held on June 20, 2013. The Notice was sent by certified and first class mail to Post Office Box 1386, Norfolk, Virginia 23501, the address of record on file with the Board of Nursing.
3. During her employment at Allzwell Assisted Living Facility, Chesapeake, Virginia, on November 4, 2012, by her own admission, Ms. Edwards abused Resident A by continuing to sit on Resident A's

lap despite Resident A's attempts to get Ms. Edwards off her lap. Ms. Edwards then made threatening gestures toward Resident A by throwing air punches near her face. At the informal conference, Ms. Edwards viewed the surveillance video that recorded the incident and admitted her actions constituted abuse of Resident A. Ms. Edwards further admitted that her actions made Resident A more agitated. In addition to the surveillance video, another nurse aide witnessed the incident.

4. Allzwell Assisted Living Facility terminated Ms. Edwards' employment as a result of the above incident. Ms. Edwards had been employed at Allzwell Assisted Living Facility since May 2009. Ms. Edward has been employed at six facilities since 2006. In addition to having her employment terminated at Allzwell Assisted Living Facility, Ms. Edwards has had her employment terminated at the following three facilities: Sentara Windermere, Virginia Beach, Virginia; Carebridge Assisted Living, Chesapeake, Virginia; and Commonwealth Memory Care, Norfolk, Virginia. On employment applications for two facilities, Ms. Edwards misrepresented why she left her prior employers. At the informal conference, Ms. Edwards stated that she is currently employed at Clearview Health Services, Virginia Beach, Virginia, and has one home health patient. She is also employed as a substitute, for a variety of positions, with the Virginia Beach public school system.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code, 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides, and 18 VAC 90-60-120(2)(f) of the Regulations Governing the Registration of Medication aides.

2. 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:

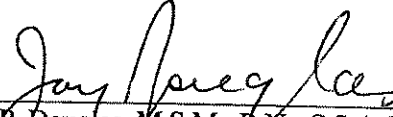
1. Certificate No. 1401-117464 of LaGina Edwards, C.N.A., R.M.A., is REVOKED.
2. Registration No. 0031-006030 of Ms. Edwards is REVOKED.
3. The certificate and registration will be recorded as revoked and no longer current.
4. A Finding of Abuse shall be ENTERED against Ms. Edwards in the Virginia Nurse 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. Edwards' 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.


Pursuant to Section 54.1-2400(10) of the Code, Ms. Edwards may, not later than 5:00 p.m., on **October 28, 2013**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

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 23rd, 2013

This Order shall become final on October 28, 2013; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By _____
Virginia Board of Nursing