

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**KATIE YOUNG, C.N.A.
Certificate No.: 1401-134180**

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 December 4, 2012, in Henrico County, Virginia. Katie Young, C.N.A., was present and was not 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 January 30, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Young 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. Katie Young, C.N.A., was issued Certificate No. 1401-134180 to practice as a nurse aide in Virginia on December 17, 2009. The certificate is scheduled to expire on December 31, 2013. Her primary state of residence is Virginia.

2. By letter dated November 6, 2012, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Young notifying her that an informal conference would be held on December 4, 2012. The Notice was sent by certified and first class mail to 1643 Winding Way, Richmond, Virginia 23235, the address of record on file with the Board of Nursing.

3. On May 31, 2012, Ms. Young was admitted to Tucker Pavilion, Richmond, Virginia,

with a diagnosis of mood disorder, not otherwise specified, and generalized anxiety disorder.

4. On May 9, 2012, Ms. Young's neurologist diagnosed her with major cognitive, memory and mood issues intermixed with migraines. He advised Ms. Young not to return to work until further notice.

5. By her own admission, Ms. Young has suffered from depression for the last 16 years. She also acknowledges that she has been diagnosed with and is currently treated for migraines, lupus, and anxiety, and she recently had shoulder surgery.

6. At the informal conference, Ms. Young submitted several letters of support. She also submitted a letter dated November 24, 2012, from her neurologist in which he states that from a neurologic standpoint she may perform all the duties of a nurse aide without restriction. She also submitted a letter dated July 11, 2012, from her psychiatrist that stated there is no evidence Ms. Young suffers from addiction. Ms. Young stated that she regularly sees her neurologist and her psychiatrist, and she believes she is mentally able to return to work. She further stated her lupus, migraines, and depression are under control with medications. Finally, Ms. Young stated that she last worked full-time as a nurse aide in January, 2012, when she removed herself from work because of her mental health issues.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3, 4, and 5 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on Ms. Young's entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP") within 30 days of the entry of this Order.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the certificate of Ms. Young, and an administrative proceeding shall be held to decide whether her certificate should be revoked. Ms. Young shall be noticed to appear before the Board at such time as the Board is notified that:

- a. She has failed to make application to the HPMP;
- b. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
- d. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Young's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.


3. Ms. Young shall maintain a course of conduct in her 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 § 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. Young may, not later than 5:00 p.m., on **March 11, 2013**, notify 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, 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:

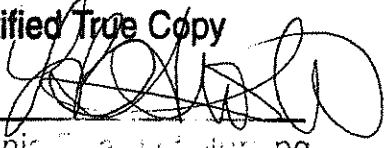


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

ENTERED: February 6th, 2013

This Order shall become final on **March 11, 2013**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing