

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JESSICA WEINER, C.N.A.
Certificate No.: 1401-155156

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Jessica Weiner, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Weiner'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. Jessica Weiner, C.N.A., was issued Certificate #1401-155156 by the Board to practice as a nurse aide in the Commonwealth of Virginia on August 22, 2012. Said certificate is scheduled to expire on August 31, 2014.
2. During the course of her employment at Virginia Beach Healthcare and Rehab, Virginia Beach, Virginia, on November 3, 2012, Ms. Weiner observed another nurse aide drawing male genitalia on a patient's chest and abdomen. Ms. Weiner failed to report this abusive behavior to facility authorities.
3. Ms. Weiner's employment was terminated due to her failure to report patient abuse.

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

Jessica Weiner, C.N.A., by affixing her signature hereon, agrees to the following:

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

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

3. She acknowledges that she 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 her;

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

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

6. She consents to the entry of the following Order affecting her 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. Jessica Weiner, C.N.A., is hereby REPRIMANDED.

2. Ms. Weiner shall maintain a course of conduct in her capacity as a certified 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

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

ENTERED: August 28, 2013

SEEN AND AGREED TO:

Jessica Weiner
Jessica Weiner, C.N.A.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Virginia Beach TO WIT:

Subscribed and sworn to before me, Jessica Cason, a Notary Public, this 21 day of August, 2013.

My commission expires 04/31/2017.

Registration Number 7549875.

Jessica Cason
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board Of Nursing