

JUL 29 2013

DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

KASEY A. ASHBURN, C.N.A. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Kasey A. Ashburn, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Ashburn's application for certification as a nurse aide by examination in Virginia.

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

FINDINGS OF FACT

1. On May 1, 2013, the Board received Kasey A. Ashburn's application for certification by examination as a nurse aide in the Commonwealth of Virginia.
2. On May 24, 2012, Ms. Ashburn was convicted in the General District Court for Gloucester County, Virginia, of one count of shoplifting first offense, a misdemeanor. She received 90 days in jail with 86 suspended, she was placed on probation for three years, with one year supervised, she was required to perform 24 hours of community service by May 31, 2013 and she was required to make payment of costs and fines. Ms. Ashburn successfully completed her community service on August 20, 2012, and paid all costs and fines on May 24, 2012.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Ms. Ashburn otherwise meets the requirements of § 54.1-3023 of the Code.

CONSENT

Kasey A. Ashburn, 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 Consent Order affecting her application for certification 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 Consent Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Kasey A. Ashburn for certification as a nurse aide by examination is hereby APPROVED. Upon successful completion of the National Nurse Aide Assessment Program examination, the Board shall issue Ms. Ashburn an unrestricted certificate to practice as a nurse aide in the Commonwealth of Virginia.
2. Ms. Ashburn is hereby REPRIMANDED.
3. Ms. Ashburn 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 §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent 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 Douglas

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

ENTERED: August 2nd, 2013

SEEN AND AGREED TO:

Kasey A. Ashburn
Kasey A. Ashburn

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

Subscribed and sworn to before me, Virginia Ann Shelton, a Notary Public, this 26 day of July, 2013.

My commission expires 2/28/2014.

Registration Number 9014392.

Virginia Ann Shelton
NOTARY PUBLIC

Certified True Copy

By *S. Ball*
Virginia Board Of Nursing