

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: Lori Jefferson, C.N.A.
 Certificate No.: 1401-084340**

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 11, 2013, in Henrico County, Virginia. Lori Jefferson, C.N.A., was not present nor was she represented by legal counsel. Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Jefferson 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. Lori Jefferson, C.N.A., was issued Certificate No. 1401-084340 to practice as a nurse aide in Virginia on October 14, 2000. The certificate is scheduled to expire on October 31, 2013.
2. By letter dated May 6, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Jefferson notifying her that an informal conference would be held on June 11, 2013. The Notice was sent by certified and first class mail to 4026 Virginia Avenue, Roanoke, Virginia 24017, the address of record on file with the Board of Nursing. The certified mail receipt was signed on May 9, 2013. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Jefferson and the informal conference proceeded in her absence.

3. During the course of her employment with Friendship Health and Rehabilitation Center, Roanoke, Virginia, on October 29, 2012, while providing care to Resident A, who had urinated on himself and needed to be changed, Ms. Jefferson yelled at the resident, called him names and handled him roughly during transfer. The alert and oriented resident started crying and told Ms. Jefferson to stop screaming at him.

4. Ms. Jefferson denied the allegation; however, the incident was witnessed by another nurse aide. Additionally, other staff reported observing Ms. Jefferson treat residents poorly in the past. Ms. Jefferson's employment with Friendship Health and Rehabilitation was terminated on November 2, 2012. She had been employed there since December 13, 1999. Ms. Jefferson had previous disciplinary actions in 2006 and 2008, regarding her behavior with other residents. As of February 26, 2013, Ms. Jefferson was employed part-time at Virginia Assisted Living, Roanoke, Virginia.

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)(e) of the Regulations Governing Certified Nurse 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:

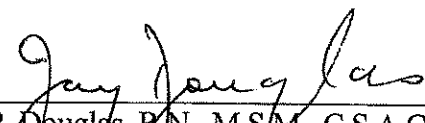
1. Certificate No. 1401-084340 of Lori Jefferson, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Lori Jefferson, C.N.A., in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Jefferson'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. Jefferson failed to appear at the informal conference, this Order shall be considered final. Ms. Jefferson 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. Jefferson 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, R.N., M.S.M., C.S.A.C., 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, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

Entered: August 1, 2013

Certified True Copy

By 

Virginia Board Of Nursing