

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: Matthew Chupp, C.N.A.  
Certificate No.: 1401-135856**

**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. Matthew Chupp, C.N.A., was present and was not 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. Mr. Chupp was not present nor was he 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. Matthew Chupp, C.N.A., was issued Certificate No. 1401-135856 to practice as a nurse aide in Virginia on March 26, 2010. The certificate is scheduled to expire on March 31, 2014.
2. By letter dated May 6, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Chupp notifying him that an informal conference would be held on June 11, 2013. The Notice was sent by certified and first class mail to 188 Dyson Road, Amherst, Virginia 24521, the address of record on file with the Board of Nursing.
3. From August 2011 to November, 2012, while employed at Centra Health System Summit Health and Rehabilitation Center, Mr. Chupp established a personal relationship with Resident A, who was diagnosed with dementia, and by his own admission, Mr. Chupp accepted monetary gifts,

clothes and other items totaling approximately \$3000.00. Further, after Mr. Chupp transferred employment to Centra Health System Lynchburg General Hospital, he arranged to meet the resident at another location to keep nursing home staff from intervening.

4. During interviews with an investigator from the Department of Health Professions, Mr. Chupp indicated that he did not believe the relationship was inappropriate. Mr. Chupp denied that he ever asked the resident for money. He stated that he did not want to make the resident feel bad by refusing her gifts. Mr. Chupp subsequently returned approximately \$2200.00 cash that he received from Resident A in the mail, to the business office at Summit Health and Rehabilitation Center; however, it is unknown if that was the total amount given to him. Mr. Chupp's employment at Lynchburg General Hospital was terminated on December 6, 2012, for acceptance of money and gifts from Resident A and continuing the relationship, against policy.

5. The position at Summit Health and Rehabilitation Center was Mr. Chupp's first nurse aide job. As of the date of the Informal conference, he was currently unemployed.

#### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(g) and (i) of the Regulations Governing Certified Nurse Aides.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

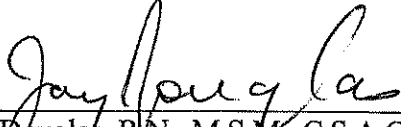
1. Certificate No. 1401-135856 of Matthew Chupp, C.N.A., is REVOKED.
2. The certificate of Matthew Chupp, C.N.A., will be recorded as REVOKED and no longer current. Pursuant to § 54.1-2408.2 of the Code, should Mr. Chupp seek reinstatement of his certificate after three years, he shall be responsible for any fees that may be required for the reinstatement of his certificate prior to issuance of his certificate to resume practice. The

reinstatement of Mr. Chupp's certificate shall require the affirmative vote of three-fourths of the members at a meeting of the Board.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Chupp may, not later than 5:00 p.m., on **September 3, 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 he 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: August 1, 2013

This Order shall become final on September 3, 2013; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing