

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ASHLEY GREGORY, C.N.A., R.M.A. APPLICANT
Certificate No.: 1401-134800

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400 (7) and (10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on June 3, 2013, in Henrico County, Virginia, to receive and act upon the application of Ashley Gregory, C.N.A., for registration by examination to practice as a medication aide in Virginia and to inquire into evidence that Ms. Gregory may have violated certain laws and regulations governing nurse aide and medication aide practice. Ms. Gregory was not present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Ashley Gregory, C.N.A. was issued Certificate No. 1401-134800 to practice as a nurse aide in the Commonwealth of Virginia on January 27, 2010. Said certificate expires on January 31, 2014.
2. By letter dated May 7, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Gregory notifying her that an informal conference would be held on June 3, 2013. The Notice was sent by certified and first class mail to 405 Downey Street, Radford, Virginia 24141, the address of record on file with the Board of Nursing. The Notice was also sent to 260 Fisher Street, Apt. 2, Christiansburg, Virginia 24073, a secondary address. On May 14, 2013, Ms. Gregory signed the receipt for the Notice sent by certified mail to the secondary address. On May 17, 2013, Ms. Gregory signed the receipt for the Notice sent by certified mail to the address of record. As of June 3, 2013, the Notices sent by first class mail had not been

returned to the Board office. The Committee Chair concluded that adequate notice was provided to Ms. Gregory and the informal conference proceeded in her absence.

3. Ms. Gregory submitted an application for registration by examination to practice as a medication aide which was received by the Board on February 25, 2013.

4. On January 30, 2013, during the course of her employment with Wheatland Hills, Radford, Virginia, Ms. Gregory provided her employer with a falsified doctor's note excusing herself from work until February 7, 2013.

5. On January 31, 2013, Ms. Gregory's employment with Wheatland Hills was terminated.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides.

2. Otherwise, Ms. Gregory meets the requirements of § 54.1-3042 of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The application of Ashley Gregory, C.N.A. for registration by examination to practice as a medication aide is hereby APPROVED. Upon successful completion of the Medication Aide examination, Ms. Gregory shall be issued an unrestricted registration to practice as a medication aide in the Commonwealth.

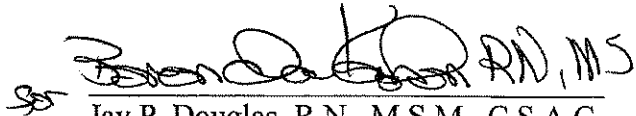
2. Ms. Gregory is hereby REPRIMANDED.

3. Ms. Gregory shall maintain a course of conduct in her capacity as a certified nurse aide and registered medication 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 on request.

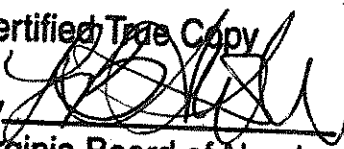
Pursuant to Section 54.1-2400(10) of the Code, Ms. Gregory may, not later than 5:00 p.m., on **July 29, 2013**, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED: June 24, 2013

This Order shall become final on **July 29, 2013**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing