

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**KECIA E. FENTON, C.N.A.**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4021, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended, ("Code"), Kecia E. Fenton, C.N.A., is hereby given notice that, pursuant to § 2.2-4024(F) of the Code, a hearing will be held in the presence of a quorum of the Board of Nursing ("Board"), with an Officer of the Board presiding. The hearing will be held on July 20, 2006, at 11:00 a.m. at the offices of the Department of Health Professions, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia, at which time Ms. Fenton will be afforded the opportunity to be heard in person or by counsel.

At the hearing Ms. Fenton has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Fenton desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia 23230-1712, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon evidence that Ms. Fenton may have violated certain laws and regulations governing nurse aide practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges that Ms. Fenton may have violated §54.1-3007(2) and (5) of the Code, and 18 VAC 90-25-100(2)(d) of the Board of Nursing Regulations, in that during the course of her

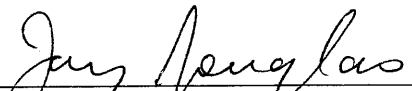
employment at Care Advantage, Richmond, Virginia (“Care Advantage”), she submitted timesheets to Care Advantage that falsified the number of hours she worked for Patient A. Patient A’s primary caregivers had copies of the timesheets that showed a lower amount of hours worked. Further, the caregivers also stated that their signature and Patient A’s signature had been forged on several occasions. These incidents resulted in the termination of Ms. Fenton’s employment. Specifically:

- a. For the week ending February 13, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked fifty-two (52) hours that week, when the caregivers’ copy of the time sheet indicated that she worked for three (3) hours.
- b. For the week ending February 20, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked thirty-three (33) hours that week, when the caregivers’ copy of the time sheet indicated that she worked for three (3) hours.
- c. For the week ending March 6, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked forty-seven (47) hours that week, when the caregivers’ copy of the time sheet indicated she worked for forty-five (45) hours.
- d. For the week ending March 13, 2005, one timesheet indicates Ms. Fenton worked thirty-two (32) hours, when, according to the schedule, she did not work on March 8, 2005, which would indicate that she over-billed by twelve (12) hours.
- e. For the week ending March 20, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked forty-nine (49) hours that week, when the caregivers’ copy of the time sheet indicated she worked for thirty-nine (39) hours.
- f. For the week ending March 27, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked six (6) hours that week, when the caregivers’ copy

of the time sheet indicated she worked for three (3) hours.

- g. For the week ending April 3, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked thirty-five (35) hours that week, when the caregivers' copy of the time sheet indicated she worked for thirty-one (31) hours. Further, she submitted additional timesheets to Care Advantage for the same week for an additional ten (10) hours on April 1, and three (3) hours on April 3.
- h. For the week ending April 10, 2005, the timesheet submitted to Care Advantage indicated that Ms. Fenton worked forty-seven (47) hours that week, when the caregivers' copy of the time sheet indicated she worked for forty-two (42) hours.
- i. For the weeks ending January 9 and 16, 2005, while Ms. Fenton did work the hours she billed, she forged Patient A's daughter's signature on her time sheets.

FOR THE BOARD

  
Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director

Entered: June 23<sup>RD</sup>, 2006