

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JAMES P. FARRAR, JR., C.N.A.
Certificate No.: 1401-154740

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on September 16, 2015, in Henrico County, Virginia, to inquire into evidence that James P. Farrar, Jr., C.N.A., may have violated certain laws governing nurse aide practice in Virginia and to inquire into evidence that Mr. Farrar may have violated certain terms and conditions imposed on him, as set forth in the Order of the Board entered on May 31, 2013. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Mr. Farrar was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. James P. Farrar, Jr., C.N.A., was issued Certificate No. 1401-154740 to practice as a certified nurse aide in the Commonwealth of Virginia on August 1, 2012. Mr. Farrar was also issued Registration No. 0031-006325 to practice as a medication aide in the Commonwealth of Virginia on November 14, 2012. Said certificate and registration were suspended by an Order of the Board, entered May 31, 2013, and the suspension was stayed contingent upon certain terms and conditions. The stay of suspension was rescinded on June 12, 2015, and this certificate and registration were indefinitely suspended.

2. Based upon the representations of Wendy Deaner, Adjudication Specialist, and

Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Statement of Particulars, Allegation Summary Worksheet and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in his absence.

3. By Board Order entered May 31, 2013, Mr. Farrar's certificate to practice as a certified nurse aide and his registration to practice as a medication aide were indefinitely suspended. The suspension was stayed contingent upon certain terms and conditions, including compliance with the Health Practitioners' Monitoring Program ("HPMP".)

4. On May 15, 2015, Mr. Farrar was dismissed from the HPMP for noncompliance, including failure to enter into treatment as recommended, continued use of benzodiazepines, and failure to comply with the toxicology screening program.

CONCLUSION OF LAW

The Board concludes that Finding of Fact No. 4 constitutes a violation of §54.1-3007(6) of the Code and Term No. 5(a) of the Board's Order entered May 31, 2013.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Certificate No. 1401-154740 issued to James P. Farrar, Jr., C.N.A., to practice as a certified nurse aide in the Commonwealth of Virginia is hereby continued on INDEFINITE SUSPENSION.

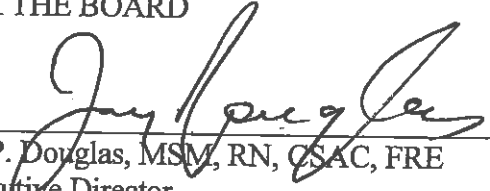
2. The certificate of Mr. Farrar will be recorded as SUSPENDED. Should Mr. Farrar seek reinstatement of his certificate consistent with this Order, he shall be responsible for any fees that may be required for the reinstatement of his certificate prior to issuance of his certificate to resume practice.

3. At such time as Mr. Farrar shall petition the Board for reinstatement of his certificate, an administrative proceeding will be convened to determine whether he is able to return to the safe and competent practice as a certified nurse aide.

4. Mr. Farrar is hereby REPRIMANDED.

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.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

September 29th, 2015
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 

Virginia Board Of Nursing