

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**JAMES W. WRIGHT, C.N.A.**

**ORDER OF SUMMARY SUSPENSION**

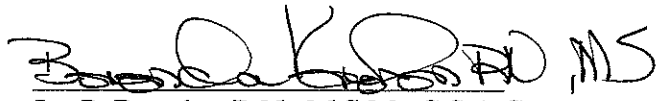
Pursuant to § 54.1-110 of the Code of Virginia (1950), as amended, a quorum of the Board of Nursing (hereinafter "the Board") met on August 25, 2009. The purpose of the meeting was to receive and act upon certain information indicating that James W. Wright, C.N.A., may have violated certain laws and regulations relating to nurse aide practice in the Commonwealth of Virginia, as more fully set forth in the attached "NOTICE OF HEARING and STATEMENT OF PARTICULARS" which is attached hereto and incorporated by reference herein.

WHEREUPON, pursuant to its authority under § 54.1-2408.1(A) of the Code of Virginia (1950), as amended, the Board concludes that a substantial danger to public health or safety warrants this action and ORDERS that the certificate of James W. Wright, C.N.A., Certificate No. 1401-057072, to practice as a nurse aide in the Commonwealth of Virginia be, and hereby is, SUSPENDED. It is further ORDERED that a hearing be convened forthwith to receive and act upon evidence in this cause and that the Executive Director of the Board shall be authorized to execute this Order and all other documents, notices and orders on behalf of the Board necessary to bring this matter to hearing.

Upon entry of this Order, the certificate of James W. Wright, C.N.A., will be recorded as suspended and no longer current.

Pursuant to § 54.1-2400.2 of the Code of Virginia (1950), as amended, 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

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

Entered: August 27, 2009

Certificate of Service

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to James W. Wright, C.N.A., at 15177 Wilderness Road, Bristol, Virginia 24202.

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

August 27, 2009  
DATE

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**JAMES W. WRIGHT, C.N.A.**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), James W. Wright, C.N.A., who prior to its summary suspension by the Board of Nursing on August 25, 2009, held Certificate No. 1401-057072 which was set to expire on January 31, 2010, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on November 18, 2009, at 2:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia 23233, at which time Mr. Wright will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Wright has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Wright desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that James W. Wright, C.N.A., 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 James W. Wright, C.N.A., may have violated § 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 in that:

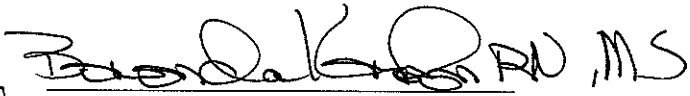
1. During the course of his employment with National Healthcare Corp., Bristol, Virginia, between June 4, 1999, and August 26, 2007, Mr. Wright sexually abused multiple residents. Specifically:
  - a. On two separate occasions, Mr. Wright fondled the breasts and genital area of Resident A.
  - b. On one occasion, Mr. Wright dipped his hands in ice water, then threw the water on Resident B's breasts. In September 2004, during an internal investigation of anal bruising to Resident B, Mr. Wright admitted to performing a disempaction on the resident; however, in a written response submitted to the Department of Health Professions investigator, Mr. Wright denied performing this procedure.
  - c. In July 2003, Mr. Wright digitally penetrated Resident C for no legitimate therapeutic purpose.
  - d. In approximately December 2004, Mr. Wright fondled the breasts and genital area of Resident D.
  - e. On or about July 4, 2007, Mr. Wright digitally penetrated Resident E for no legitimate therapeutic purpose.
  - f. Between approximately July 31, 2007, and August 27, 2007, Mr. Wright fondled the breasts of Resident F and fondled the genital area of Resident G.

2. During the course of his employment with Brookdale Senior Living - Grand Court Assisted Living, Bristol, Virginia, on or about May 24, 2008, Mr. Wright sexually assaulted Resident H.

If the Board finds that James W. Wright, C.N.A., is in violation of the above allegations and § 54.1-3007(8) of the Code, the Board shall make a Finding of Abuse, Neglect, or Misappropriation of patient

property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit Mr. Wright's future employment as a certified nurse aide in any long term care facility which receives Medicare or Medicaid reimbursement.

FOR THE BOARD

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

ENTERED: August 27, 2009