

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JAMES W. WRIGHT, C.N.A.

CONSENT ORDER

The Virginia Board of Nursing ("Board") and James W. Wright, C.N.A., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Wright's certificate to practice as a nurse aide in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. James W. Wright, C.N.A., was issued Certificate No. 1401-057072 to practice as a nurse aide by the Virginia Board of Nursing on January 20, 1996. Said certificate was summarily suspended by Order of the Board entered August 27, 2009.
- 2.. 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 disimpaction 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 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.

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

CONCLUSIONS OF LAW

1. Findings of Fact No. 2 and 3 constitute a violation of § 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.

2. The Board also concludes that Findings of Fact No. 2 and 3 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

CONSENT

James W. Wright, C.N.A., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to formal hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to a formal hearing;

5. He neither admits nor denies the Findings of Fact contained herein but waives his right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his right to practice as a nurse aide in Virginia.

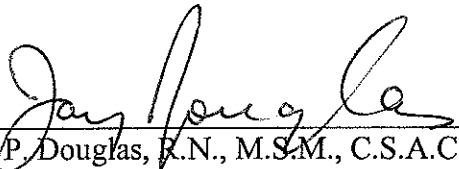
ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Certificate No. 1401-057072 of James W. Wright, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Mr. Wright in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Mr. Wright's employment as a certified nurse aide in any long-term care facility that receives Medicare or Medicaid reimbursement, according to 42 CFR § 483.13(c)(1)(ii)(B).

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 upon request.

FOR THE BOARD



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

ENTERED: September 18th, 2009

SEEN AND AGREED TO:

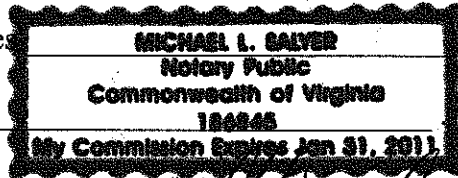
James W. Wright, C.N.A.
James W. Wright, C.N.A.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Bristol, TO WIT:

Subscribed and sworn to before me, Michael Sawyer, a Notary Public, this 10th day of Sept., 2009.

My commission expires

Registration Number



Michael Sawyer
NOTARY PUBLIC