

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CYNTHIA DIANE LEATH, R.N.
License Number: 0001-168111
Case Number: 175428

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on October 2, 2017, in Henrico County, Virginia, to inquire into evidence that Cynthia D. Leath, R.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Cynthia Diane Leath, R.N. appeared at this proceeding and was represented by Noah Downs, Esquire.

NOTICE

By letter dated August 30, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Leath notifying her that an informal conference would be held on October 2, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Cynthia Diane Leath, R.N., was issued License Number 0001-168111 to practice professional nursing on January 12, 2000, which is scheduled to expire on March 31, 2019. At all times relevant to the findings contained herein, said license was current and active. Her primary state of residence is Virginia.

2. Ms. Leath violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(f), effective February 24, 2017) during the course of her employment with Sentara Williamsburg Regional Medical Center, Williamsburg, Virginia, on July 25, 2016, in that:

a. Ms. Leath failed to complete an admission assessment on Patient A, who was found by the oncoming nurse to be diaphoretic, tachypneic and tachycardic.

b. Ms. Leath failed to timely administer Lasix 40 mg to Patient B, pursuant to an order with a priority status of STAT. The Lasix was ordered at 1200, but was not administered by Ms. Leath until 1836.

c. Ms. Leath failed to follow the post cardiac catheterization physician's orders for Patient C, by failing to check the patient's vitals as frequently as ordered, failing to perform neurovascular checks, and failing to complete site and dressing checks.

d. Ms. Leath failed to administer a nicotine patch for Patient A, as ordered. Patient A was also left flat on back despite being very congested, and was found by another nurse on his bed gurgling.

3. Ms. Leath violated Virginia Code § 54.1-3007(5) in that during the course of her employment with Sentara Williamsburg Regional Medical Center, Ms. Leath's nursing practice was subject to two employment actions, as evidenced by the following:

a. On October 10, 2013, Ms. Leath received a written warning for altering another nurse's documentation.

b. On December 10, 2015, Ms. Leath received a second written warning after she removed a patient's peripheral intravenous catheter, removed the telemetry monitor, printed out

incomplete discharge instructions, reviewed the incomplete discharge instructions with the patient and the patient's family, and discharged the patient, all without a physician's order.

4. At the informal conference, Ms. Leath acknowledged that her lack of attention to detail was evident in all of these instances.

5. Ms. Leath's employment with Sentara Williamsburg Regional Medical Center was terminated. She did not grieve the termination. She is not currently employed.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Cynthia Diane Leath, R.N., is REPRIMANDED.
2. Within 90 days from the date of entry of this Order, Ms. Leath shall provide written proof satisfactory to the Board of successful completion of the following NCSBN courses:
 - a. *Delegating Effectively;*
 - b. *Documentation: A Critical Aspect of Client Care;*
 - c. *Professional Accountability & Legal Liability for Nurses;* and
 - d. *Sharpening Critical Thinking Skills.*
3. Ms. Leath shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



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


ENTERED AND MAILED:

October 25, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Leath may, not later than 5:00 p.m., on November 27, 2017, 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. This Order shall become final on November 27, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing