

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:**           **CYNTHIA DIANE LEATH, R.N.**  
                  **A.K.A Cynthia Diane Leath Groover**  
                  **A.K.A. Cynthia Diane Leath Gaynor**  
**License Number:**           **0001-168111**  
**Issue Date:**               **January 12, 2000**  
**Expiration Date:**           **March 31, 2019**  
**Case Number:**             **175428**

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**NOTICE OF INFORMAL CONFERENCE  
AND STATEMENT OF ALLEGATIONS**

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**You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
<b>DATE AND TIME:</b>	<b>October 2, 2017</b> <b>2:00 P.M.</b>
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> Floor - Virginia Conference Center Henrico, Virginia 23233

**LEGAL AUTHORITY AND JURISDICTION:**

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing; or
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

**ABSENCE OF RESPONDENT AND RESPONDENT’S COUNSEL:**

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

**RESPONDENT’S LEGAL RIGHTS:**

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

**INFORMAL CONFERENCE MATERIALS:**

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

**FILING DEADLINES:**

Deadline for filing materials: **September 25, 2017**. Submit five copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

**REQUEST FOR A CONTINUANCE**

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **September 25, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **September 25, 2017**.

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**STATEMENT OF ALLEGATIONS**

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The Board alleges that:

1. At all times relevant hereto, Cynthia Diane Leath, R.N., was licensed to practice professional nursing in the Commonwealth of 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 or about 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. Ms. Leath also failed to do a respiratory assessment on Patient B, despite the oncoming nurse's observations that Patient B had diminished breath sounds and was tachypneic.
  - 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, Williamsburg, Virginia, Ms. Leath's nursing practice was subject to two employment actions, as evidenced by the following:

a. On or about October 10, 2015, Ms. Leath received a written warning for altering another nurse's documentation.

b. On or about 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.

See Confidential Attachment for the names of the patients referenced above.



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Jodi P. Power, R.N., J.D.  
Deputy Executive Director  
Virginia Board of Nursing

August 30, 2017  
Date