

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ERICA NICOLE WYATT, L.P.N.
License Number: 0002-082696
Issue Date: June 23, 2010
Expiration Date: February 28, 2019
Case Number: 175248

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

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

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	June 15, 2017 9:00 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd 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: **June 9, 2017**. Submit 5 copies of all documents you want the Board to consider to Sylvia Tamayo-Suijk, 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 **June 9, 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 **June 9, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Erica Nicole Wyatt, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.
2. Ms. Wyatt violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) and (m) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(f) and (m) effective February 24, 2017), in that, during the course of her employment with Autumn Care, Mechanicsville, Virginia, on or about September 12, 2014, she placed another resident’s prescription medications in Resident A’s bag prior to Resident A’s discharge from the facility.
3. Ms. Wyatt violated Virginia Code § 54.1-3007(5) in that from June 2011 through January 2016, at three different employers, her nursing practice was subject to numerous employment actions, resulting in her eventual termination from each employer, as evidenced by the following:
 - a. During the course of her employment with the Laurels of Willow Creek, Midlothian, Virginia:
 - i. On or about June 20, 2011, she was verbally counseled after she documented the administration of medication to a resident, which the resident denied receiving.
 - ii. On or about July 18, 2011, she was verbally counseled for failing to withhold a resident’s blood thinner as ordered.
 - iii. On or about August 15, 2011, she received a written warning for failing to complete ordered blood tests for two residents.

iv. On or about October 28, 2011, her employment was terminated after she failed to transcribe a physician's order to stop the administration of all blood thinners and aspirin to a resident one week prior to surgery.

b. During the course of her employment with Lexington Court, Richmond, Virginia:

i. On or about November 14, 2013, she received corrective action for failing to follow up with a resident's physician, failing to administer a PRN medication to the resident in a timely manner, and failing to complete an incident report regarding another resident in a timely manner.

ii. On or about November 25, 2013, she received corrective action for failing to complete a respiratory assessment, failing to recognize critical lung sounds, and failing to document that the resident was in respiratory distress.

iii. On or about December 2, 2013, she received final corrective action, and her employment was terminated, for failing to give a resident oxymorphone in the morning as ordered.

c. During the course of her employment with Autumn Care:

i. On or about December 10, 2015, she received a verbal warning for failing to complete a skin assessment on a resident.

ii. On or about December 17, 2015, she received a written warning for failing to properly assess a resident.

iii. On or about January 14, 2016, she received a written warning, and her employment was terminated, after failing to properly assess a resident.

See Confidential Attachment for the name of the resident referenced above.



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

May 22nd 2017
Date