

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: NANCY BARRIE SNYDER, C.N.A.**  
**Certificate Number: 1401-009346**  
**Case Number: 173250**

**RATIFICATION AND ORDER**


On May 17, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Nancy Barrie Snyder, C.N.A., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Since Ms. Snyder failed to appear at the informal conference, this Order shall be considered final. Ms. Snyder has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Snyder has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD

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

ENTERED AND MAILED ON:

May 31, 2017

**Certified True Copy**

By   
Virginia Board of Nursing

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on March 15, 2017 in Henrico County, Virginia, to inquire into evidence that Nancy Barrie Snyder, C.N.A., may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Snyder did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Notice**

By letter dated February 15, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Snyder notifying her that an informal conference would be held on March 15, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Snyder and the informal conference proceeded in her absence.

### **Recommended Findings of Fact and Conclusions of Law**

1. Nancy Barrie Snyder, C.N.A., was issued Certificate Number 1401-009346 to practice as a nurse aide on June 6, 1989, which is scheduled to expire on June 30, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.

2. Nancy Barrie Snyder, C.N.A., violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides in that during the course of her employment with Golden Living Center - Elizabeth Adam Crump, Glen Allen, Virginia, on April 11, 2016, while in the resident dining room, she grabbed onto and pulled the shirt of a resident who was attempting to get out of her wheelchair, and she slapped the resident's hands and head.

3. During the facility's investigation and in a statement to an investigator for the Department of Health Professions, Ms. Snyder acknowledged holding the resident's shirt, stating that she was trying to keep her from getting up and falling. She denied hitting the resident and said that she only "patted" the resident's hands. However, the incident was witnessed by two other C.N.A.'s and by a family member of another resident. One of the C.N.A.'s said that she saw the resident putting her hands on her head to protect herself as Ms. Snyder was hitting her.

4. After the incident, staff observed redness where the resident's shirt had been pulled against her neck.

5. Ms. Snyder's 35-year employment with Golden Living was terminated as a result of this incident.

6. Finding of Fact and Conclusion of Law No. 2 constitutes a finding of Abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

### Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The certificate of Nancy Barrie Snyder, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.
2. The certificate of Nancy Barrie Snyder, C.N.A., will be recorded as REVOKED.
3. A Finding of Abuse shall be ENTERED against Nancy Barrie Snyder, C.N.A., 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 Ms. Snyder'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).

Reviewed and approved on March 27, 2017  
By Jane Elliott, R.N., Ph.D.  
Agency Subordinate

Certified True Copy

By   
Virginia Board of Nursing