

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CLAYTISHA MARQUISA RIDDICK, C.N.A.
Certificate Number: 1401-139220
Case Number: 172056

RATIFICATION AND ORDER

On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Claytisha Marquisa Riddick, 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.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Riddick's health records or health services.

Since Ms. Riddick failed to appear at the informal conference, this Order shall be considered final. Ms. Riddick 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. Riddick 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 Douglas, M.S.M, R.N., C.S.A.C., F.R.E., 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:

February 6th, 2017

Certified True Copy

By 
Virginia Board Of Nursing

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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on November 9, 2016 in Henrico County, Virginia, to inquire into evidence that Claytisha Marquisa Riddick, C.N.A., may have violated certain laws governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Riddick 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 September 21, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Riddick notifying her that an informal conference would be held on November 9, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. A Notice was also sent by certified and first class mail to a secondary address. The Notice sent by certified mail was delivered to the address of record on September 26, 2016. The Notice sent by certified mail to the secondary address was delivered on September 23, 2016. The Notices sent by first class mail were not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Riddick and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Claytisha Marquisa Riddick, C.N.A., was issued Certificate Number 1401-139220 to practice as a nurse aide on August 11, 2010, which is scheduled to expire on August 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Ms. Riddick violated Virginia Code § 54.1-3007(6) and Term Number 2(a) of the Order of the Board entered August 17, 2015, which required her to enter into and remain compliant with the terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"), in that on February 5, 2016, Ms. Riddick was dismissed from the HPMP for failure to comply with her Recovery Monitoring Contract. Ms. Riddick missed calling the drug screen testing line on September 29, 2015, and October 27, 2015. Ms. Riddick had a positive screen for alcohol on November 19, 2015, and she failed to report for testing on December 23, 2015. Finally, Ms. Riddick failed to report a date for a multidisciplinary assessment.
3. Ms. Riddick violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a nurse aide due her diagnosis of schizoaffective disorder, depressive type. Ms. Riddick also suffers with substance abuse, as more fully set forth in Confidential Exhibit A.
4. Ms. Riddick was not approved to return to work as a certified nurse aide by the HPMP, and she has not worked since 2013.
5. During her interview with the investigator for the Department of Health Professions, Ms. Riddick denied failing any of her drug screens, and denied using cocaine and alcohol. Although there is evidence in the investigative report to the contrary.
6. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Riddick's health records or health services.

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. Claytisha Marquisa Riddick, C.N.A., is REPRIMANDED.
2. The certificate issued to Ms. Riddick to practice as a nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The certificate of Ms. Riddick will be recorded as SUSPENDED.
4. Should Ms. Riddick seek reinstatement of her certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Riddick to demonstrate that she is safe and competent to return to the practice as a nurse aide. Ms. Riddick shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

Reviewed and approved on December 13, 2016
By Nancy Durrett, R.N., M.S.
Agency Subordinate