

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CYNTHIA LYNNE WILLIAMS, R.N.
License Number: 0001-254845
Case Number: 170844

RATIFICATION AND ORDER

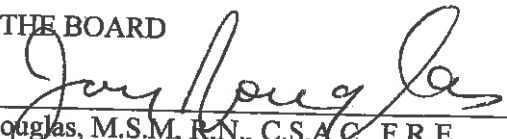
On November 16, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Cynthia Lynne Williams, R.N. was not present nor was she represented by legal counsel.

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.

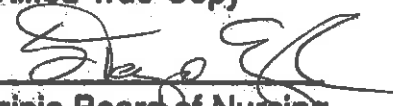
Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Williams failed to appear at the informal conference, this Order shall be considered final. Ms. Williams 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. Williams 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

Certified True Copy

By 
Virginia Board of Nursing

ENTERED AND MAILED ON:

November 30th, 2016

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CYNTHIA LYNNE WILLIAMS, R.N.
License Number: 0001-254845
Case Number: 170844

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on August 16, 2016 in Henrico County, Virginia, to inquire into evidence that Cynthia Lynne Williams, R.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Williams 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 July 18, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Williams notifying her that an informal conference would be held on August 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board on July 26, 2016. 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. Williams and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Cynthia Lynne Williams, R.N. was issued License Number 0001-254845 to practice professional nursing on October 7, 2014, which is scheduled to expire on June 30, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. Cynthia Lynne Williams, R.N. 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 ("Regulations") in that during the course of her employment with DaVita Dialysis while on assignment at Sentara Virginia Beach General Hospital ("SVBGH"), she committed the following practice errors:
 - a. On September 30, 2015, Ms. Williams failed to clean the dialysis machine with bleach after administering dialysis to a patient who was identified as positive for Hepatitis B.
 - b. On November 11, 2015, Ms. Williams misread a patient's Hepatitis B status as negative when, in fact, the patient was Hepatitis B positive. Ms. Williams failed to clean the dialysis machine with bleach after administering dialysis to this patient. As a result of her error, two subsequent patients were exposed to Hepatitis B. When interviewed by an investigator for the Department of Health Professions ("DHP"), Ms. Williams could not explain how or why she misread the lab reports.
3. Ms. Williams violated Virginia Code § 54.1-3007(5) and (6) in that on November 18, 2015, while on duty and during an investigative interview conducted by SVBGH regarding her dialysis errors, she was impaired by alcohol, as demonstrated by inappropriate speech, glazed eyes, red, flushed skin, and the odor of alcohol on her person. A reasonable suspicion breathalyzer test administered subsequent to the interview revealed a blood alcohol content of 0.03 grams. Ms. Williams admitted to

the DHP investigator that, on the night before her meeting with her employer on November 18, 2015, she drank “too much alcohol” until 2:00 a.m.

4. Ms. Williams’ employment with DaVita was terminated on November 18, 2015 as a result of her breathalyzer results.

5. Ms. Williams violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a professional nurse due to alcohol abuse, as evidenced by the following:

a. Ms. Williams signed a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”) on January 13, 2016, in which she acknowledged that her history of alcohol abuse impairs her ability to safely practice. On March 28, 2016, Ms. Williams signed a Recovery Monitoring Contract which required her to attend 12-Step meetings, continue group therapy and participate in toxicology screening.

b. On April 4, 2016, Ms. Williams’ toxicology screen was positive for alcohol. On April 11, 2016, Ms. Williams’ breathalyzer was positive for alcohol. As a result, on April 13, 2016, the HPMP placed Ms. Williams on warning status and required her to enter residential treatment no later than April 19, 2016. Ms. Williams failed to call the toxicology screen test line on April 18, 2016 and ceased communication with HPMP.

c. Ms. Williams was dismissed from the HPMP on May 20, 2016, for noncompliance, including continued use of alcohol, failure to have a date of entry into residential treatment as required, and failure to maintain communication with HPMP.

6. In a South Carolina Consent Agreement entered on February 27, 2013, Ms. Williams’ license to practice professional nursing was subject to a reprimand and placed under certain terms and conditions. This action was based on findings that in the course of her employment at Trident Medical Center, Summerville, South Carolina, she falsely documented a telephone order on a copy of a

medication list sent to the pharmacy and failed to contact the physician before documenting that a patient's home medications should be continued.

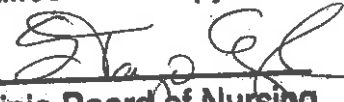
Recommended Order

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 license issued to Cynthia Lynne Williams to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Cynthia Lynne Williams will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Cynthia Lynne Williams seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Cynthia Lynne Williams to demonstrate that she is safe and competent to return to the practice of professional nursing. Cynthia Lynne Williams shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Reviewed and approved on September 13, 2016
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing