

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: BEDELIA MCCOY HALL, C.N.A.
Certificate Number: 1401-101360
Case Number: 172475

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. Bedelia McCoy Hall, 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. Hall failed to appear at the informal conference, this Order shall be considered final. Ms. Hall 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. Hall 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, MSM, RN, CSAC, FRE, 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



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

ENTERED AND MAILED ON:

November 23, 2016

Certified True Copy

By 

Virginia Board Of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: BEDELIA MCCOY HALL, C.N.A.
Certificate Number: 1401-101360
Case Number: 172475

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on October 4, 2016 in Henrico County, Virginia, to inquire into evidence that Bedelia McCoy Hall, C.N.A., may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Hall 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 August 30, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Hall notifying her that an informal conference would be held on October 4, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the United States Postal Service website, the Notice sent by certified mail was forwarded to an address in North Carolina where it remains available for pickup. 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. Hall and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Bedelia McCoy Hall, C.N.A., was issued Certificate Number 1401-101360 to practice as a nurse aide on December 24, 2003, which is scheduled to expire on December 31, 2016. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Bedelia McCoy Hall, C.N.A., violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-100(2)(h) of the Regulations Governing Certified Nurse Aides in that during the course of her employment with Harbourway Assisted Living at Atlantic Shores, Virginia Beach, Virginia (“Atlantic Shores”), between June, 2015 and September, 2015, she made charges to Resident A’s credit card in the amount of approximately \$1,898.41 without Resident A’s authorization or consent.
3. Finding of Fact and Conclusion of Law No. 2 constitutes a Finding of Misappropriation of patient property pursuant to 42 CFR §483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.
4. On February 5, 2016, Ms. Hall’s employment with Atlantic Shores was involuntarily terminated for unacceptable job performance due to theft.
5. On April 18, 2016, someone claiming to be Ms. Hall’s daughter reported to an investigator with the Department of Health Professions (“DHP”) that Ms. Hall had committed suicide. The individual failed to produce a copy of Ms. Hall’s death certificate or obituary despite repeated requests from the DHP. No verifiable documentation of Ms. Hall’s death was located.

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 Bedelia McCoy Hall, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.

2. The certificate of Bedelia McCoy Hall, C.N.A., will be recorded as REVOKED.
3. A Finding of Misappropriation of patient property shall be ENTERED against Bedelia McCoy Hall, 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 Bedelia McCoy Hall'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 October 20, 2016
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate