

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:            ABBIGALE COLLINS, C.N.A.**  
**Certificate Number: 1401-160593**  
**Case Number:        157285, 172290**

**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. Abbigale Collins, 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. Collins' health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Collins may, not later than 5:00 p.m., on **December 26, 2016**, notify Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

  
\_\_\_\_\_  
So 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

This Order shall become final on December 26, 2016, unless a request for a formal administrative hearing is received as described above.

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), Jodi P. Power, R.N., J.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on September 8, 2016 in Henrico County, Virginia, to inquire into evidence that Abbigale Collins, C.N.A., may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Collins appeared 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 10, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Collins notifying her that an informal conference would be held on September 8, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

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

1.        Abbigale Collins, C.N.A., was issued Certificate Number 1401-160593 to practice Nurse Aide on June 4, 2013, 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. Ms. Collins violated Virginia Code 54.1-3007(6) in that she is unsafe to practice as a nurse aide due to substance abuse and/or mental illness as evidenced by the following:

a. She was involuntarily hospitalized at St. Mary's Hospital, Richmond, Virginia, pursuant to a temporary detention order on February 23, 2016, due to aggressive and inappropriate behavior and symptoms of psychosis. Further, her urine drug screen on admission was positive for barbiturates, opiates, and THC.

b. She was discharged on March 11, 2016, with a diagnosis of bipolar disorder, manic with severe psychosis, and a recommendation for follow-up mental health care on an outpatient basis.

3. Ms. Collins was seen at Henrico Mental Health for an intake appointment on March 15, 2016, but has not returned for further care.

4. At the informal conference Ms. Collins reported she had two emergency room admissions to Henrico Doctors Hospital in August 2016, for a health concern. She stated that during the second ER visit, she had a panic attack and received a mental health evaluation by telephone.

5. At the informal conference, Ms. Collins stated that she saw her primary care physician on September 7, 2016, for a health concern and received a prescription for Visteril for anxiety as well as a prescription for Lexapro. However, she acknowledged that she had not yet picked up the prescriptions for financial reasons.

6. Ms. Collins denied having a substance abuse problem and denied taking any illegal drugs or any prescriptions that were not prescribed to her since her March 2016 discharge from St. Mary's Hospital.

7. Ms. Collins violated Virginia Code 54.1-3007(5) in that during the course of her employment with Morningside Assisted Living, Henrico, Virginia, which was her first C.N.A.

employment, she made unprofessional statements during two incidents with residents. As a result, her employment with Morningside was terminated on May 6, 2014.

8. Subsequently, Ms. Collins was employed at Little Sisters of the Poor from June 2014 through February 2015. She stated that she resigned her employment to obtain hospital experience.

9. Ms. Collins was then employed at St. Mary's Hospital from February 2015 until August 2016. She stated that she resigned in lieu of receiving disciplinary action related to absenteeism.

10. At the informal conference, Ms. Collins reported she began full-time employment at the Laurels of Willow Creek on September 5, 2016. She stated she is also working through Public Partnership providing companion care up to 35 hours per week. Additionally, she is attending EMT certification classes eight hours per week.

11. Ms. Collins reported she has a pending charge for assault and battery in Chesterfield County stemming from an August 2016 physical altercation with a co-worker at the residence of a client to whom she was providing care.

12. At the informal conference Ms. Collins acknowledged and recognized her pressured speech and racing thoughts while discussing her case with the agency subordinate. She had difficulty answering questions succinctly, spoke in a rambling manner on several occasions, was intermittently aggressive, and was emotionally labile while answering questions and presenting information.

13. Ms. Collins acknowledged she has mental health issues needing treatment, but did not necessarily agree with her diagnosis from St. Mary's Hospital. She is scheduled to meet with a psychiatrist at Dominion Psychiatric Associates in December 2016. She planned to seek further treatment with her primary care physician in the interim. She was open to therapy, counseling, and medication management. She also expressed interest in the Health Practitioners' Monitoring Program but had made no contact with them, as of the date of the informal conference.

14. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Collins'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:

The Board shall TAKE NO ACTION at this time, contingent upon Abbigale Collins, C.N.A.,'s compliance with the following terms and conditions:

1. Abbigale Collins, C.N.A., shall enter into the Virginia Health Practitioners' Monitoring Program ("HPMP") and shall provide to the Board proof of entry into a Contract with the HPMP within 60 days of the date this Order is entered. Thereafter, Ms. Collins, shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
2. Upon receipt of evidence of Ms. Collins' participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Collins' appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted certificate.
3. Ms. Collins shall comply with all laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nurse aides shall constitute grounds for further disciplinary action.

Reviewed and approved on September 29, 2016  
By Jodi P. Power, R.N., J.D.  
Agency Subordinate