

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           MARIAMA WUNDU, C.N.A.**  
**Certificate Number: 1401-134541**  
**Case Number:         172296**

**RATIFICATION AND ORDER**


On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mariama Wundu, 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. Wundu failed to appear at the informal conference, this Order shall be considered final. Ms. Wundu 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. Wundu 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, 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

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

ENTERED AND MAILED ON:

October 4, 2016

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 August 24, 2016 in Henrico County, Virginia, to inquire into evidence that Mariama Wundu, C.N.A. may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Wundu 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 14, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Wundu notifying her that an informal conference would be held on August 24, 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 Notice sent by certified mail was accepted by Ms. Wundu on July 19, 2016. As of August 24, 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. Wundu and the informal conference proceeded in her absence.

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

1. Mariama Wundu, C.N.A. was issued Certificate Number 1401-134541 to practice as a nurse aide on January 14, 2010, which is scheduled to expire on January 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect.
2. Ms. Wundu violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides in that between in August 2015, and January 2016, during the course of her employment with Fairfax Nursing Center, Fairfax, Virginia, by her own admission, Ms. Wundu stole jewelry from several residents in her care. Ms. Wundu admitted to police that she pawned all the stolen pieces; therefore no residents' jewelry was recovered. Ms. Wundu stated to the police that she had the "devil inside her."
3. Ms. Wundu entered a plea on May 10, 2016, and is scheduled for sentencing on September 2, 2016, in the Fairfax County, Virginia, Circuit Court.
4. Finding of Fact and Conclusion of Law No. 2 constitute 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.

### **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 Mariama Wundu to practice as a as a nurse aide in the Commonwealth of Virginia is REVOKED.
2. The certificate of Ms. Wundu will be recorded as REVOKED.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Wundu 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. Wundu'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 August 31, 2016  
By Jane Elliott, R.N., Ph.D.  
Agency Subordinate