

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: PETULA DEAN WATKINS, C.N.A.
Certificate Number: 1401-061935
Case Number: 172722

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. Petula Dean Watkins, 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. Watkins failed to appear at the informal conference, this Order shall be considered final. Ms. Watkins 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. Watkins 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

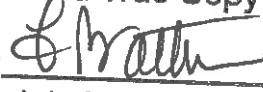


Sr Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

Oct . 3 , 2016

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 K. Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on August 11, 2016 in Henrico County, Virginia, to inquire into evidence that Petula Dean Watkins, C.N.A. may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Ms. Watkins 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 7, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Watkins notifying her that an informal conference would be held on August 11, 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. 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. Watkins and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Petula Dean Watkins, C.N.A. was issued Certificate Number 1401-061935 to practice as a nurse aide on September 14, 1996, which is scheduled to expire on September 30, 2016. At all times relevant to the findings herein, said certificate was in full force and effect. Ms. Watkins also holds Certificate Number 213608 to practice as a Nurse Aide I in the State of North Carolina which expires on April 30, 2018.

2. Ms. Watkins violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides (“Regulations”) in that during the course of her employment at Roman Eagle Rehabilitation and Health Care Center, Danville, Virginia, an audio/video recording from a camera hidden in Resident A’s room by her son revealed the following:

a. On January 29, 2016, Ms. Watkins jerked Resident A’s knees apart, grabbed her by the shoulders and shook her, balled her fist up at the resident in a threatening manner and handled her roughly.

b. On March 9, 2016, Ms. Watkins jerked the resident up by her hair two times, shook the resident’s head to side and slammed her onto the bed.

c. On March 15, 2016, Ms. Watkins roughly rolled Resident A onto her side, almost pushing her off the bed. She then jerked the resident up by her hair and spat in her face. Following this incident, Resident A was noted to have blood in her mouth.

3. Finding of Fact and Conclusion of Law No. 2 constitutes a finding of abuse pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D).

4. Ms. Watkins’ employment with Roman Eagle was terminated on March 16, 2016.

5. A report was made to the Danville Police Department. Upon completion of the investigation, Ms. Watkins was charged with three counts of abuse of an incapacitated adult. She is scheduled to return to court on September 29, 2016.

6. Ms. Watkins violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations in that she falsified the application for employment with Blue Ridge Village dated March 18, 2016, in that she falsely answered “no” to the question, “have you ever been terminated or asked to resign from any job,” when, in fact, on March 16, 2016, Ms. Watkins had been notified that her employment at Roman Eagle Rehabilitation and Health Care Center was terminated.

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 Petula Dean Watkins to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.
2. The certificate of Petula Dean Watkins will be recorded as REVOKED.
3. A Finding of Abuse shall be ENTERED against Petula Dean Watkins 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 Petula Dean Watkins’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 23, 2016
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate