

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Vivian Anita Wallington Raysor, C.N.A.
Certificate Number: 1401-108068
Case Number: 164088

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. Vivian Anita Wallington Raysor, 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. Raysor failed to appear at the informal conference, this Order shall be considered final. Ms. Raysor 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. Raysor 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



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

ENTERED AND MAILED ON:

Sept. 28, 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), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 21, 2016 in Henrico County, Virginia, to inquire into evidence that Vivian Anita Wallington Raysor, C.N.A. may have violated certain laws and regulations governing the practice of certified nurse aides in the Commonwealth of Virginia.

Ms. Raysor 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 June 1, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Raysor notifying her that an informal conference would be held on June 21, 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 office. 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. Raysor and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Vivian Anita Wallington Raysor, C.N.A. was issued Certificate Number 1401-108068 to practice as a nurse aide on March 23, 2005, which is scheduled to expire on March 31, 2017. At all times relevant to the allegations herein, said certificate was in full force and effect.
2. Vivian Anita Wallington Raysor, C.N.A. 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 with the Laurels of Bon Air, Richmond, Virginia, on June 16, 2015, Ms. Raysor cursed at a resident. Further, Ms. Raysor handled the resident roughly and pushed him in his wheelchair into his bed and a radiator. The event was witnessed by a C.N.A. student.
3. As a result of this incident, Ms. Raysor’s employment with the Laurels of Bon Air was terminated effective June 16, 2015.
4. Ms. Raysor violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations in that on her application for employment with Envoy of Westover Hills, Richmond, Virginia, dated June 30, 2015:
 - a. Ms. Raysor failed to disclose her previous employment with My Home Away from Home, Richmond, Virginia, where she worked between October 25, 2013 and January 29, 2014, when her employment was terminated following several written warnings for multiple medication errors, tardiness, and failure to follow instructions.
 - b. Ms. Raysor failed to disclose her “reason for leaving” employment with Sunrise Senior Living, Richmond, Virginia. In fact, Ms. Raysor’s employment with Sunrise Senior Living was terminated on June 24, 2013 for abuse or neglect of residents.

5. Ms. Raysor has had six employers since 2012, and her employment with all six employers 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 Ms. Raysor to practice as a nurse aide in the Commonwealth of Virginia is REVOKED.
2. The certificate of Ms. Raysor will be recorded as REVOKED.
3. A Finding of Abuse shall be ENTERED against Vivian Anita Wallington Raysor 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 Vivian Anita Wallington Raysor'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 25, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate