

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Vivian Anita Wallington Raysor, C.N.A.
Certificate Number: 1401-108068
Expiration Date: March 31, 2017
Case Number: 164088

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Board of Nursing (“Board”) regarding your certificate to practice as a nurse aide in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board of Nursing.
DATE AND TIME:	June 21, 2016 at 10:30 a.m.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:

- If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice as a certified nurse aide in the Commonwealth;
- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your certificate, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Board’s Review of Agency Subordinate’s Recommended Decision

If you appear in person or by counsel at the informal conference, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the

recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

DEFAULT:

If you fail to appear at the informal conference, the Agency Subordinate may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Agency Subordinate will rely in making a decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be considered by the Agency Subordinate when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. Deadline for filing exhibits: June 14, 2016. Submit 5 copies of all documents you want the Board to consider to Brenda Krohn, R.N., M.S., Deputy Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Brenda Krohn, R.N., M.S., Deputy Executive Director, at the above address: June 14, 2016. NOTE: the failure to object to exhibits does not deprive you of the right to contest their contents at the proceeding.

OTHER IMPORTANT INFORMATION:

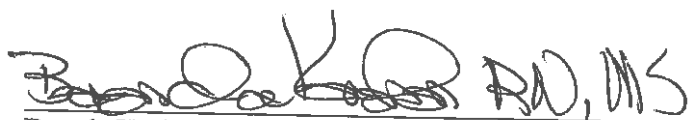
If the Agency Subordinate finds that there is sufficient evidence to find you in violation of the allegation(s) stated below and Virginia Code § 54.1-3007(8), the Agency Subordinate shall recommend that the Board make a finding of abuse, neglect, and/or misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Vivian Anita Wallington Raysor, C.N.A. was certified to practice as a certified nurse aide in the Commonwealth of Virginia.
2. Ms. Raysor 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 or about June 16, 2015, Ms. Raysor cursed at Resident A. Further, Ms. Raysor handled Resident A roughly and pushed him in his wheelchair into his bed and a radiator.
3. 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 or about 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 or about June 24, 2013 for abuse or neglect of residents.

See Confidential Attachment I for the name of the resident referenced above.



Brenda Krohn, R.N., M.S.
Deputy Executive Director
Virginia Board of Nursing

June 1, 2016
Date