

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: VERNITA ARNETTE WITHERSPOON LEWIS, R.M.A.
RegistrationNumber: 0031-003047
Case Number: 163585

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 16, 2016, in Henrico County, Virginia, to inquire into evidence that Vernita Arnette Witherspoon Lewis, R.M.A., may have violated certain laws and regulations governing the practice of medication aides in the Commonwealth of Virginia.

Vernita Arnette Witherspoon Lewis, R.M.A. appeared at this proceeding and was represented by Dawn N. Perez-Slavinski, Esquire.

NOTICE

By letter dated April 26, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Lewis notifying her that a formal administrative hearing would be held on May 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On May 28, 2009, the Board of Nursing issued Registration Number 0031-003047 to Vernita Arnette Witherspoon Lewis, R.M.A. to practice as a medication aide in the Commonwealth of

Virginia. Said registration is scheduled to expire on October 31, 2016. At all times relevant hereto, said registration was in full force and effect.

2. During the course of her employment with Symphony Manor, Richmond, Virginia, on May 7, 2015:

a. Ms. Lewis was called to a resident's room by the certified nurse aide because the resident had fallen. The resident had suffered a head wound. Ms. Lewis applied a dry dressing after cleaning up the wound.

b. Ms. Lewis informed the on-call hospice nurse of the resident's fall. She told the hospice nurse that the laceration was small and that the bleeding was under control. The hospice nurse testified that she told Ms. Lewis the resident did not need to go to the emergency room based on the phone conversation. Ms. Lewis did not report the fall to the resident care coordinator or the resident's physician.

c. Ms. Lewis failed to document the fall or any treatment in the resident's treatment notes, progress notes, or nursing notes. Ms. Lewis also failed to complete an incident report in its entirety.

3. Later that morning, a hospice nurse evaluated the resident and decided to send her to the emergency room, where the resident's laceration was sutured.

4. Ms. Lewis' employment was terminated on May 7, 2015, due to the events of that day.

5. Ms. Lewis testified that she is currently employed as a medication aide at Brookhaven Rest Home.

6. Ms. Lewis testified that she started the incident report but then got called to a different floor, as she was the only medication aide in the facility. She was not practicing as a certified nurse aide that night.

7. Ms. Lewis testified that Resident A's chart said to call hospice first, not 911 or a physician, if a fall occurred. She further told the Board that Resident A had previously fallen. When these falls occurred, hospice had been called and hospice had made the phone calls to the family and the physician.

8. Ms. Lewis testified that she could have handled the documentation better.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(2) and 18 VAC 90-60-120(2)(e) of the Regulations Governing the Registration of Medication Aides.


ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that Vernita Arnette Witherspoon Lewis, R.M.A. is REPRIMANDED.

Vernita Arnette Witherspoon Lewis, R.M.A. shall comply with all laws and regulations governing the practice of medication aides in the Commonwealth of Virginia.

Pursuant to Virginia Code §§ 2.2-4023 and 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.

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:

June 16, 2016

Certified True Copy

By dgraham
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.