

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TANYA M. WILLIAMS, C.N.A.
Certificate No.: 1401-014810**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 10, 2016, in Henrico County, Virginia. Ms. Williams was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 18, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Williams was not present nor was she represented by legal counsel. Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Tanya M. Williams, C.N.A. was issued Certificate No. 1401-014810 to practice as a nurse aide in Virginia on March 6, 1990. The certificate is scheduled to expire on March 31, 2017.
2. By letter dated February 16, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Williams notifying her that an informal conference would be held on March 10, 2016. The Notice was sent by certified and first class mail to 10 Port Landing, Apartment F, Newport News, Virginia 23061, the address of record on file with the Board of Nursing. According to the U.S.P.S. tracking website, the Notice sent by certified mail was returned marked "undeliverable as addressed." The Notice sent by first class mail was returned to the Board office marked "no such street; unable to forward." The Agency Subordinate concluded that adequate notice was provided to Ms. Williams and the informal conference proceeded in her absence.
3. During the course of her employment with Bayada Home Health Care, Williamsburg, Virginia, on or about March 4, 2015, Ms. Williams accepted \$2,000.00 from a patient and entered into an agreement with the patient to repay the amount as a loan.

4. Ms. Williams repaid a total of \$200.00 to the patient. Bayada Home Health Care wrote the patient a check for the remaining \$1800.00. Ms. Williams repaid \$200.00 to Bayada Home Health Care. As of the date of the investigation, Ms. Williams still owed Bayada Home Health Care \$1600.00.

5. As a result of this incident, Ms. Williams' employment was terminated effective August 11, 2015 after approximately 16 months of employment.

6. On her application for employment with Consulate Health Care, Williamsburg, Virginia dated August 26, 2015, Ms. Williams failed to list her employment with Bayada Home Health Care, where she was employed from April 17, 2014 through her termination on August 11, 2015.

7. As of December 2015, Ms. Williams was employed P.R.N. and in good standing with Consulate Health Care, and she was also employed and in good standing with Eastern State Hospital, Williamsburg, Virginia.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC90-25-100(2)(g), (h), and (i) of the Regulations Governing Certified Nurse Aides ("Regulations").

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Misappropriation pursuant to 42 CFR §483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-014810 of Tanya M. Williams, C.N.A. is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Williams 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. Williams' 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).

Pursuant to § 54.1-2400.2 of the Code, 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. Williams failed to appear at the informal conference, this Order shall be considered final. Ms. Williams 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. Williams has thirty (30) 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 (3) days are added to that period.

FOR THE BOARD


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

Entered: May 25, 2016

Certified True Copy

By 
Virginia Board Of Nursing