

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: Connie Townsend Wilson Nixon, L.P.N.
 License Number: 0002-037557
 Case Number: 164087**

RATIFICATION AND ORDER

On May 18, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Connie Townsend Wilson Nixon, L.P.N. was present and was not 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.

Pursuant to Virginia Code § 54.1-2400(10), Ms.Nixon may, not later than 5:00 p.m., on June 27, 2016, notify 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, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

for *Glenn Mitchell-Simely*
Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

May 25, 2016

This Order shall become final on June 27, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By *M. Saulo*
Virginia Board of Nursing

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**IN RE: Connie Townsend Wilson Nixon, L.P.N.
 LicenseNumber: 0002-037557
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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), Jodi Power, R.N., J.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on April 13, 2016 in Henrico County, Virginia, to inquire into evidence that Connie Townsend Wilson Nixon, L.P.N. may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Ms.Nixon appeared 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 March 14, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms.Nixon notifying her that an informal conference would be held on April 13, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. By letter dated April 11, 2016, the Board of Nursing sent an Amended Notice of Informal Conference to Ms. Nixon notifying her that an informal conference would be held on April 13, 2016. The Amended Notice was sent by overnight mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. Connie Townsend Wilson Nixon, L.P.N. was issued License Number 0002-037557 to practice practical nursing on May 15, 1986, which is scheduled to expire on November 30, 2017. At all times relevant to the allegations herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. Connie Townsend Wilson Nixon, L.P.N. violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(1) of the Regulations Governing the Practice of Nursing in that during the course of her employment as Resident Care Coordinator with Brookdale Bristol Senior Living, Bristol, Virginia (“Brookdale”), in May and June 2015, Ms. Nixon had non-therapeutic, personal involvement with a resident who had end-stage liver disease and lacked the mental capacity to make his own decisions, as determined by the Court, which had appointed him a guardian and a conservator. Despite requests to the contrary from the facility and guardian, Ms. Nixon attempted to interfere with the resident’s personal affairs including his living situation, medical decisions, and guardianship assignment. Further, on June 12, 2015, Ms. Nixon took the resident from Brookdale to the Tazewell County Courthouse without permission from and against the express instructions of the resident’s guardian.
3. As a result of these incidents, Ms. Nixon was permitted to resign from her position at Brookdale in lieu of termination on June 12, 2015 after three months of employment.
4. Ms. Nixon described her relationship with the resident as a “friendship” and stated that her actions were motivated in his best interest and to advocate for him to live independently.
5. At the informal conference, Ms. Nixon acknowledged that she understood in retrospect that she crossed professional boundaries with the resident.
6. Prior to Brookdale, Ms. Nixon was employed with Wellmont Medical Associates, Kingsport, Tennessee, from March 2012 until December 31, 2014, when her employment was

terminated for non-compliance with attendance and unacceptable work performance regarding her charting and documentation.

7. At the informal conference, Ms. Nixon stated that she had been employed with Procure Staffing Agency, Johnson City, Tennessee since December 2015.

8. Prior to the performance issues and incidents at Wellmont Medical Associates and Brookdale, Ms. Nixon had no work performance issues in her 30 years as a licensed nurse.

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. Connie Townsend Wilson Nixon is REPRIMANDED.
2. Within 90 days from the date of entry of this Order, Connie Townsend Wilson Nixon shall provide written proof satisfactory to the Board of successful completion of the following NCSBN course(s): *Professional Accountability & Legal Liability for Nurses* and *Professional Boundaries in Nursing*.
3. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
4. Connie Townsend Wilson Nixon shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.
5. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of practical nursing shall constitute grounds for further disciplinary action.

Reviewed and approved on April 21, 2016
By Jodi P. Power, R.N., J.D.
Agency Subordinate

Certified True Copy
By M. Bayle
Virginia Board of Nursing