

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           ANDREA M. HILTON, C.N.A.  
                  Certificate No.: 1401-121360**

**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. Hilton 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. Hilton 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.       Andrea M. Hilton, C.N.A. was issued Certificate No. 1401-121360 to practice as a nurse aide in Virginia on October 22, 2007. On June 1, 2010, the Director of the Department of Health Professions mandatorily suspended Ms. Hilton's certificate based on convictions of two counts of grand larceny. On February 2, 2011, the Board continued the certificate on indefinite suspension with the suspension stayed contingent upon Ms. Hilton's compliance with certain terms and conditions. The certificate expired on November 11, 2012.

2.       By letter dated February 16, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hilton notifying her that an informal conference would be held on March 10, 2016. The Notice was sent by certified and first class mail to 4307 North Avenue, Apartment A, Richmond, Virginia 23222, 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 delivered on February 18, 2016. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Hilton and the informal

conference proceeded in her absence.

3. By Order entered February 2, 2011 (“Board’s Order”), the Board continued Ms. Hilton’s certificate on indefinite suspension with the suspension stayed contingent upon Ms. Hilton’s compliance with certain terms and conditions, based on findings of Ms. Hilton’s prior felony and misdemeanor convictions, a history of illegal drug use, and Ms. Hilton’s participation in the Henrico County Drug Court Program and the Home Again transitional shelter program. The probation terms included requirements that Ms. Hilton remain in compliance with the terms of her probation under the Henrico Drug Court program and the requirements of the Home Again program, that Ms. Hilton not use alcohol or any other mood-altering chemical unless prescribed by a health practitioner pursuant to a bona fide practitioner-patient relationship, that Ms. Hilton provide the Board with a written report from the prescribing practitioner within ten days of prescribing a Schedule II-V controlled medication, and that Ms. Hilton submit quarterly “self-reports.”

4. Ms. Hilton failed to provide the Board with, or have Home Again provide at her direction, a discharge summary from the Home Again program.

5. Ms. Hilton failed to provide prescription reports for five scheduled medications prescribed to her between February 2, 2011 and October 31, 2011. Further, Ms. Hilton did not disclose the scheduled medications in any of her required self-reports submitted to the Board.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term No. 1 of the Board’s Order.
2. Finding of Fact No. 5 constitutes a violation of Term No. 2 of the Board’s Order.

#### ORDER

WHEREFORE, it is hereby ORDERED as follows:

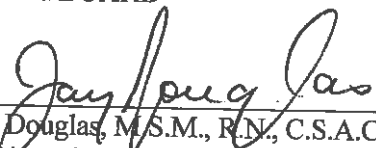
1. The right of Andrea M. Hilton, C.N.A. to renew Certificate No. 1401-121360 to practice as a nurse aide in Virginia is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended.
3. At such time as Ms. Hilton shall petition the Board for reinstatement of her certificate, an

administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a nurse aide. Ms. Hilton shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

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. Hilton failed to appear at the informal conference, this Order shall be considered final. Ms. Hilton 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. Hilton 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

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

Entered: May 23<sup>rd</sup>, 2016

Certified True Copy

By   
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Virginia Board Of Nursing