

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TITILAYO AKADIRI, C.N.A.
Certificate No.: 1401-155846**

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 Virginia Board of Nursing ("Board") on May 7, 2014, in Henrico County, Virginia. Ms. Akadiri was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Akadiri submitted written comments/objections.

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. Titilayo Akadiri, C.N.A., was issued Certificate No. 1401-155846 to practice as a nurse aide in Virginia on September 26, 2012. The certificate is scheduled to expire on September 30, 2014.
2. By letter dated April 1, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Akadiri notifying her that an informal conference would be held on May 7, 2014. The Notice was sent by certified and first class mail to 7818 Belfield Road, Richmond, Virginia 23237, the address of record on file with the Board of Nursing.
3. During her employment at Lucy Corr Village Healthcare Center, Chesterfield, Virginia ("Lucy Corr"), on November 26, 2013, her first employment as a C.N.A., Ms. Akadiri transferred a resident from bed to chair by herself. The resident could not stand on her own and required a two-

person assist during transfers according to the resident’s care plan.

4. Ms. Akadiri’s employment was terminated on December 3, 2013, based on the incorrect transfer and injuries sustained by the resident. Injuries consisted of fracture to right thumb and knee. Ms Akadiri denies causing injuries.

5. On December 5, 2013, Ms. Akadiri falsified her application to Glen Burnie Rehabilitation and Nursing Center, Richmond, Virginia (“Glen Burnie”), by stating that her reason for leaving Lucy Corr was “personal” when, in fact, her employment was terminated.

6. Ms. Akadiri has been working as a C.N.A. at Glen Burnie since December, 2013.

7. At the informal conference, Ms. Akadiri appeared with her sister. When asked to review Allegation No. 1, Ms. Akadiri began reading a prepared statement. When asked to respond in her own words, Ms. Akadiri had difficulty being able to articulate her response. A pattern of relying on her sister’s response or reading from a prepared statement rather than articulating her own responses to questions continued throughout the informal conference. When questioned about the falsification of her employment application submitted to Glen Burnie, Ms. Akadiri appeared not to understand the concept that telling the truth was required on an employment application.

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 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides (“Regulations”).

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.

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

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-155846 of Titilayo Akadiri is INDEFINITELY SUSPENDED for not less than one year.
2. The certificate will be recorded as indefinitely suspended and no longer current.
3. At such time as Ms. Akadiri shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent practice as a nurse aide. Ms. Akadiri 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.
4. A Finding of Neglect shall be ENTERED against Ms. Akadiri 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. Akadiri's 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). Since this Finding of Neglect was based on a singular occurrence, Ms. Akadiri is eligible to petition the Board for removal of the Finding of Neglect one time, after a period of one year from the date of entry of this Order, if she can demonstrate that her employment and personal history do not reflect a pattern of abusive behavior or neglect.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Akadiri may, not later than 5:00 p.m., on **August 25, 2014**, notify Jay P. 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:



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

ENTERED: July 23, 2014

This Order shall become final on August 25, 2014; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing