

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: HEATHER JO GUNN DEANER, C.N.A.
Certificate No.: 1401-133761**

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 January 5, 2015, in Henrico County, Virginia. Heather Jo Gunn Deaner, C.N.A., was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 23, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Gunn-Deaner 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. Heather Jo Gunn-Deaner, C.N.A., was issued Certificate No. 1401-133761 to practice as a nurse aide in Virginia on November 18, 2009. The certificate is scheduled to expire on November 30, 2016.
2. By letter dated December 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Gunn-Deaner notifying her that an informal conference would be held on January 5, 2016. The Notice was sent by certified and first class mail to 3075 Pebbe Drive, Roanoke, Virginia 24014, the address of record on file with the Board of Nursing. The Notice sent by certified mail

was delivered on December 12, 2015. The signature of the person accepting the certified mail was illegible. 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. Gunn-Deaner and the informal conference proceeded in her absence.

3. On March 17, 2014, Ms. Gunn-Deaner was voluntarily admitted to Mount Regis Center, Salem, Virginia, where she was diagnosed with “polydrug” dependence. Ms. Gunn-Deaner reported at the time that she was using opiates, benzodiazepines, and cocaine. On March 24, 2014, Ms. Gunn-Deaner began an intensive outpatient program, with completion on April 21, 2014. Upon discharge, Ms. Gunn-Deaner’s prognosis was guarded to fair depending on her compliance with recommended treatment.

4. On July 7, 2014, Ms. Gunn-Deaner was admitted to Lewis Gale Behavioral Health, Salem, Virginia for suicidal ideations without a plan and polysubstance abuse.

5. On April 7, 2015, by her own admission, Ms. Gunn-Deaner was drinking and entered into an altercation with her boyfriend, and cut him across his stomach with a knife. This incident resulted in her misdemeanor conviction for assault and battery of a family member in the Franklin County, Virginia, Juvenile and Domestic Relations Court.

6. On June 4, 2015, Ms. Gunn-Deaner was voluntarily admitted to Lewis Gale Behavioral Health, for suicidal ideations with a plan. On June 8, 2015, she was discharged with a diagnosis of adjustment disorder with depressed mood and anxiety.

7. On November 2, 2015, Ms. Gunn-Deaner signed a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”) that required her to refrain from working as a certified nurse aide. On November 9, 2015, Ms. Gunn-Deaner discovered working as a certified nurse aide at Woodhaven Nursing Home. She agreed to stop working immediately. Ms. Gunn-Deaner was

required to obtain an evaluation by November 13, 2015. On November 24, 2015, Ms. Gunn-Deaner was urgently dismissed from the HPMP for failing to obtain the recommended evaluation.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 through 6 constitute a violation § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-133761 of Heather Jo Gunn Deaner to practice as a nurse aide is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Gunn-Deaner 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. Gunn-Deaner 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. Gunn-Deaner failed to appear at the informal conference, this Order shall be considered final. Ms. Gunn-Deaner 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. Gunn-Deaner has (30) thirty 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 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: March 29th 2016

Certified True Copy

By 

Virginia Board Of Nursing