

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ROBYN RUTHERFORD-GILLS, L.P.N.
License No.: 0002-049984

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 15, 2015, in Henrico County, Virginia, to inquire into evidence that Robyn Rutherford-Gills, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Rutherford-Gills was not present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Robyn Rutherford-Gills, L.P.N. was issued License No. 0002-049984 to practice practical nursing in the Commonwealth of Virginia on September 22, 1994. Said license expires on November 30, 2017. Ms. Rutherford-Gills’ primary state of residence is Virginia.

2. By letter dated November 17, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Rutherford-Gills notifying her that an informal conference would be held on December 15, 2015. The Notice was sent by certified and first class mail to 2820 Broadview Street, Winchester, Virginia 22601, the address of record for the Board. On November 19, 2015, Ms. Rutherford-Gills accepted the Notice sent by certified mail. The Notice sent by first class mail was not returned to the Board. On December 15, 2015, prior to the informal conference, Ms. Rutherford-Gills telephoned the Board office to request a continuance and was told that she needed to submit her request in writing. She was provided with

the Department of Health Professions' facsimile number and email address. She failed to submit her request in writing. The Committee Chair concluded that adequate notice was provided to Ms. Rutherford-Gills and the informal conference proceeded in her absence.

3. During the course of her employment with Envoy of Winchester, Winchester, Virginia, while assigned to provide care to Resident A, who suffered with hypertension, Ms. Rutherford-Gills failed to notify Resident A's physician of the resident's low blood pressures. On September 25, 2014, she documented Resident A's blood pressure as 92/57, and on September 29, 2014, she documented Resident A's blood pressure as 81/49 and 86/50.

4. Ms. Rutherford-Gills stated to the investigator for the Department of Health Professions that on September 29, 2014, she did not notify the resident's physician because the resident was resting quietly without pain and her respiration was unlabored.

5. On October 16, 2014, Ms. Rutherford-Gills' employment with Envoy of Winchester was terminated.

CONCLUSIONS OF LAW

Findings of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Robyn Rutherford-Gills, L.P.N., is hereby REPRIMANDED.
2. Ms. Rutherford-Gills shall provide the Board with verification that she has completed the following NCSBN on line courses: *Documentation: A Critical Aspect of Client Care* and *Professional Accountability & Legal Liability for Nurses* within 60 days of the date this Order is entered. These courses shall not be credited toward the continued competency requirements for the next renewal of her license.

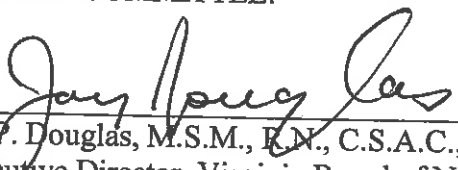
3. Ms. Rutherford-Gills shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Rutherford-Gills and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Rutherford-Gills may, not later than 5:00 p.m., on February 15, 2016, 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 COMMITTEE:



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

ENTERED: January 13TH, 2016

This Order shall become final on February 15, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing