

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MARY D. HUNDLEY, L.P.N.  
License No.: 0002-065017**

**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 October 7, 2015, in Henrico County, Virginia. Ms. Hundley was not present nor was she represented by legal counsel. Jodi Power, R.N., J.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hundley 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. Mary D. Hundley, L.P.N. was issued License No. 0002-065017 to practice practical nursing in Virginia on November 5, 2002. The license is scheduled to expire on April 30, 2016. Ms. Hundley's primary state of residence is Virginia.
2. By letter dated September 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hundley notifying her that an informal conference would be held on October 7, 2015. The Notice was sent by certified and first class mail to P.O. Box 232, Tappahannock, Virginia 22650, the address of record on file with the Board of Nursing. By letter dated September 21, 2015, the Board of Nursing sent an Amended Notice of Informal Conference ("Amended Notice") to Ms.

Hundley notifying her that an informal conference would be held on October 7, 2015. The Amended Notice was sent by certified and first class mail to P.O. Box 232, Tappahannock, Virginia 22650, the address of record on file with the Board of Nursing. The certified mail receipt for the Notice was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. The certified mail receipt for the Amended Notice and the Amended Notice sent by first class mail were not returned to the Board office. Ms. Hundley contacted the Board office prior to the informal conference to notify the Board that she would not appear. The Agency Subordinate concluded that adequate notice was provided to Ms. Hundley and the informal conference proceeded in her absence.

3. During the course of her employment with The Orchard Senior Living Community at Riverside Rehabilitation Center, Warsaw, Virginia (“The Orchard”), on June 17, 2014, Ms. Hundley failed to properly assess and obtain proper treatment for a resident who had been dropped to the floor during an inappropriate transfer by a C.N.A. working under her supervision. The resident also complained to Ms. Hundley of knee pain and told Ms. Hundley that she had fallen on the same date. The resident suffered bilateral femoral fractures that were not evaluated or diagnosed for 36 hours due to Ms. Hundley’s inaction.

4. As a result of this incident, Ms. Hundley’s employment was suspended pending The Orchard’s investigation of the matter. Upon completion of the investigation on June 25, 2014, Ms. Hundley was placed on warning status and required to go through one-on-one training with the Director of Nursing regarding assessment of residents. Ms. Hundley subsequently resigned from her position at The Orchard in November 2014 after 13 years of employment due to self-described stress from working at The Orchard. As of June 22, 2015, Ms. Hundley stated she was not currently working in nursing and considered herself semi-retired.

5. The Virginia Department of Health Office of Licensing and Certification conducted an

investigation regarding this incident which resulted in founded violations related to the post-fall assessment, pain assessment, and documentation in nurses' notes.

### CONCLUSIONS OF LAW

Finding 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

WHEREFORE, it is hereby ORDERED as follows:

1. Mary D. Hundley, L.P.N. is hereby REPRIMANDED.
2. Ms. Hundley shall maintain a course of conduct in her capacity as a licensed practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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

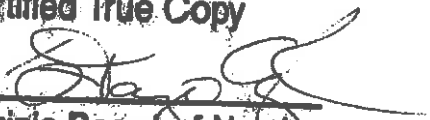
FOR THE BOARD



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

Entered: December 15<sup>th</sup>, 2015

Certified True Copy

By   
Virginia Board of Nursing