

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DOROTHY BRAXTON, C.N.A.
Certificate No.: 1401-011356

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 September 29, 2015 in Henrico County, Virginia. Ms. Braxton 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 November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Braxton 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. Dorothy Braxton, C.N.A., was issued Certificate No. 1401-011356 to practice as a certified nurse aide in the Commonwealth of Virginia on June 19, 1989. Said certificate is set to expire on June 30, 2016.
2. By letter dated August 24, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Braxton notifying her that an informal conference would be held on September 29, 2015. The Notice was sent by certified and first class mail to 22 Ivy Lane, Petersburg, Virginia, 23805, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office "return to sender, unclaimed." 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. Braxton and the informal conference proceeded in her absence.
3. On March 24, 2015, Ms. Braxton was transported from her place of employment, Battlefield Park–Golden Living, Petersburg, Virginia, to Southside Regional Medical Center ("SRMC"), under a temporary detention order. She was found on the floor at Battlefield Park "flopping around" and she had been

dancing in the hallways, trying to cast spells off of people and chanting. While at the hospital, Ms. Braxton reported that she had consumed alcohol in the days prior to her admission and her family reported that she was noncompliant with her medications. In addition, while at SRMC, she experienced a syncopal attack which resulted in her placement in the intensive care unit for a short period of time. Ms. Braxton was diagnosed with major depression with psychosis and episodic alcohol abuse.

4. On October 27, 2014, Ms. Braxton was admitted to SRMC and was diagnosed with major depression, recurrent, with psychosis, periodic alcohol abuse and schizophrenia. At the time of her admission, she was hearing voices, and her family reported that she had been talking about demons and spirits and having hallucinations. By her own admission to hospital staff, she had been consuming alcohol in the days prior to her admission.

5. Ms. Braxton has suffered with depression since 1999, at which time she was hospitalized due to her mental illness.

6. An investigator from the Virginia Department of Health Professions attempted to contact Ms. Braxton on numerous occasions by phone and the United States Postal Service but was unable to speak with her.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3, 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

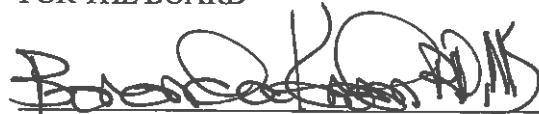
1. Certificate No. 1401-011356 of Dorothy Braxton, C.N.A., is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Braxton shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent practice as a certified nurse aide. Ms. Braxton 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. Braxton failed to appear at the informal conference, this Order shall be considered final. Ms. Braxton 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. Braxton 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


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

Entered: December 2, 2015

Certified True Copy

By L. Brath
Virginia Board Of Nursing