

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CYNTHIA G. WALDO, R.N.
License No.: 0001-240276**

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 August 13, 2014, in Henrico County, Virginia. Cynthia G. Waldo, R.N., 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 September 17, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Waldo 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. Cynthia G. Waldo, R.N., was issued License No. 0001-240276 to practice professional nursing in Virginia on August 24, 2012. The license is scheduled to expire on August 31, 2016. Ms. Waldo holds Certificate No. 1401-062203 to practice as a nurse aide, which expired November 9, 2012. Her primary state of residence is Virginia.

2. By letter dated July 17, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Waldo notifying her that an informal conference would be held on August 13, 2014. The Notice was sent by certified and first class mail to 2016 N. Adams Street, Apt. 508, Arlington, Virginia, 22201, the address of record on file with the Board of Nursing.

3. During the course of her employment with Lewis Gale Medical Center, Salem, Virginia:

a. By her own admission, Ms. Waldo failed to document performing an assessment on an 82-year-old patient with Parkinson's dementia, assigned to her on March 6, 2014.

b. Ms. Waldo admitted that she checked off the telemetry order on this same patient, but failed to order the telemetry unit, then failed to provide a transfer report to the transferred unit. Ms. Waldo stated that the telemetry order just did not "register" with her.

4. Ms. Waldo's employment was suspended on March 6, 2014. Her employment was terminated on March 17, 2014, for the above infractions, and she was told that she was not a "good fit". There were no signs of impairment. This was Ms. Waldo's second professional nursing job. She was previously employed at Sentara Northern Virginia Medical Center from January 2013 to June 2013.

5. Over the next few days after her suspension, Ms. Waldo began drinking large quantities of beer. After the fourth day, Ms. Waldo contacted a neighbor and asked him to call an emergency medical transport. The police responded and took Ms. Waldo to the New River Valley Medical Center emergency room. On March 11, 2014, Ms. Waldo was admitted to the behavioral health unit with a diagnosis of substance abuse and depression. She was discharged on March 12, 2014.

6. During the informal conference, Ms. Waldo stated that prior to the above-referenced incident, she had a previous incident where she was admitted to the behavioral health unit after consuming prescribed Lunesta and drinking cognac.

7. Ms. Waldo stated that she evaluated "herself" and found that she is at risk of substance abuse. On June 19, 2014, she entered a substance abuse assessment program at Arlington County Community Services Board. Ms. Waldo presented a copy of her substance abuse counseling plan. She is in counseling with a licensed clinical social worker and is participating in substance abuse education sessions. The plan also states that she is having random urine drug screens; however, the form indicates

that she is to come five minutes early, before her relapse prevention session, to submit a urine sample.

8. Ms. Waldo presented with a strange demeanor at the informal conference and she was unable to give straightforward answers. Ms. Waldo reported that she is not practicing nursing and is working as an interior designer.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.
2. Findings of Fact Nos. 5 and 6 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that Cynthia G. Waldo, R.N., shall be placed on PROBATION for one year of actual nursing practice subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Waldo has completed one year of active practice in employment as a professional nurse ("practice employment"). The license of Ms. Waldo shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

2. Ms. Waldo shall have an evaluation by a mental health/chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 90 days from the date this Order is entered. Ms. Waldo shall comply with any recommendations of the specialist. If therapy is recommended, written progress reports by the therapist shall be sent to the Board until Ms. Waldo is

discharged from therapy. Ms. Waldo shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

3. Ms. Waldo shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

4. Ms. Waldo shall be required to have two supervised, unannounced random drug screens a quarter, from a Board-approved testing entity, which includes testing for alcohol. The Board shall be notified immediately in writing if Ms. Waldo refuses to give a specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

5. Performance Evaluations shall be provided to the Board, at the direction of Ms. Waldo, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.

6. Ms. Waldo shall provide evidence within 60 days of entry of the Order that she has completed the following NCSBN online courses: Professional Accountability & Legal Liability for Nurses; and Sharpening Critical Thinking Skills.

7. Ms. Waldo shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with payment of a duplicate license fee as specified in the regulations governing nursing. Upon receipt, the Board shall issue a replacement professional nurse license marked "Valid in Virginia Only; Probation with Terms."

8. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first reports received in the Board office no later than 60 days

from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. Many of the required report forms are available on the Board's website for your convenience.

9. Ms. Waldo shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Waldo shall provide a contact name, address, and phone number for each practice employer to the Board.

10. Ms. Waldo shall inform all current and future practice employers that the Board has placed her on probation and Ms. Waldo shall provide each practice employer with a complete copy of this Order. If Ms. Waldo is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

11. Ms. Waldo shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and any/or consultants designated by the Board, if applicable.

12. Ms. Waldo shall submit "Self-Reports" which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self- Reports must be submitted whether Ms. Waldo has current practice employment or not.

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

14. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for

suspending or revoking the license of Cynthia G. Waldo, R.N., and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

15. This Order is applicable to Ms. Waldo's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Waldo shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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. Waldo may, not later than 5:00 p.m., on November 8, 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:

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

ENTERED: *October 6, 2014*

This Order shall become final on November 8, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By *[Signature]*
Virginia Board of Nursing