

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CASSAUNdra GITTENS, L.P.N.
License No.: 0002-074995**

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 July 7, 2015, in Henrico County, Virginia. Cassaundra Gittens, L.P.N., 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 September 16, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Gittens 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

Cassaundra Gittens, L.P.N., was issued License No. 0002-074995 to practice practical nursing in Virginia on December 1, 2006. The license is scheduled to expire on August 31, 2016. Ms. Gittens' primary state of residence is Virginia.

2. By letter dated June 12, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Gittens notifying her that an informal conference would be held on July 7, 2015. The Notice was sent by certified and first class mail to 2915 Verdun Avenue, Norfolk, Virginia 23509, the address of record on file with the Board of Nursing. According to the United States Postal Service

website, the Notice sent by certified mail was delivered on June 23, 2015. As of July 7, 2015, the Notice sent by first class mail had not been returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Gittens and the informal conference proceeded in her absence.

3. On October 28, 2014, during the course of her employment with Consulate Health Care of Windsor, Windsor, Virginia, Ms. Gittens dragged Resident A by her wrist to the resident's room. As a result of this incident, on April 23, 2015, Ms. Gittens was convicted of misdemeanor assault in the Isle of Wight, Virginia, General District Court.

4. On her applications for employment with Autumn Care of Chesapeake, Chesapeake, Virginia, and Consulate Health Care of Windsor, Ms. Gittens wrote that her reason for leaving MFA Health care was due to a change in management, when, in fact, she was terminated from MFA Healthcare as a result of being rude to residents' family members.

5. By her own admission, Ms. Gittens has been diagnosed with post-traumatic stress disorder ("PTSD"), anxiety and depression. Further, Ms. Gittens believed that her PTSD played a part in the incident involving Resident A.

6. On October 29, 2014, Ms. Gittens' employment with Consulate Health Care of Windsor was terminated.

7. Ms. Gittens has been terminated from three employers since 2010, for reasons such as disorderly conduct and being rude to family members.

CONCLUSIONS OF LAW

1. 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 ("Regulations").

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-074995 of Cassandra Gittens to practice practical nursing is REVOKED.

2. The license of Ms. Gittens will be recorded as REVOKED and no longer current. Pursuant to § 54.1-2408.2 of the Code, should Ms. Gittens seek reinstatement of her license after three years, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice. The reinstatement of Ms. Gittens' license shall require the affirmative vote of three-fourths of the members at a meeting of the Board.

3. This revocation applies to any multistate privilege to practice practical nursing. 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. Gittens failed to appear at the informal conference, this Order shall be considered final. Ms. Gittens 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. Gittens has 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 days are added to that period.

FOR THE BOARD

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

Entered: October 6, 2015

Certified True Copy

By [Signature]
Virginia Board of Nursing