

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: VIRGINIA RUMBLE, C.N.A. REINSTATEMENT APPLICANT
License No.: 1401-040478**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 15, 2015, in Henrico County, Virginia, to receive and act upon Virginia Rumble's application for reinstatement of her certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Ms. Rumble may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Rumble was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Virginia Rumble, C.N.A., was issued Certificate No. 1401-040478 to practice as a nurse aide in the Commonwealth of Virginia on September 11, 1993. Said certificate was indefinitely suspended by Order of the Board entered on April 3, 2013. This action was a result of Ms. Rumble's neglect of a resident in her care.
2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Rumble and the hearing proceeded in her absence.
3. Ms. Rumble submitted an application for reinstatement of her certificate to practice as a nurse aide to the Board on January 9, 2015.

4. On her application for reinstatement of her certificate to practice as a nurse aide, which was received by the Board on January 9, 2015, Ms. Rumble answered "NO" to the question, "Have you ever had action or been denied a license or certificate in a health-related field?" when, in fact, she has had action taken against her certificate on two occasions as evidenced by the following:

- a. By Board's Order entered October 22, 2007, Ms. Rumble was issued a reprimand.
- b. By Board's Order entered April 3, 2013, her certificate to practice as a nurse aide was indefinitely suspended with a find of neglect based on a single occurrence entered against her in the Virginia Nurse Aide Registry.

5. Ms. Rumble's certificate to practice as a nurse aide was indefinitely suspended by the Board's Order entered April 3, 2013.

CONCLUSIONS OF LAW

The Board concludes that:

Findings of Fact No. 4(a) and 4(b) constitute a violation of § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides ("Regulations").

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

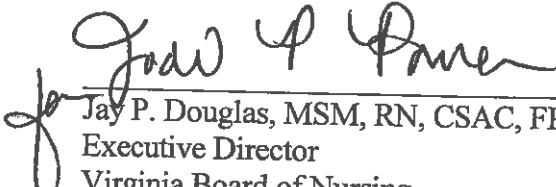
1. The application of Virginia Rumble for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia is hereby DENIED. Further, it is hereby ORDERED that the certificate of Ms. Rumble be CONTINUED on INDEFINITE SUSPENSION. At such time as she shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice as a nurse aide.

2. Should Ms. Rumble seek reinstatement of her certificate consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her certificate privilege prior to issuance of her certificate to resume practice.

3. The certificate shall be recorded as suspended.

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.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

August 7, 2015
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 

Virginia Board Of Nursing