

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CONNIE BREEDEN, C.N.A.**  
**Certificate No.: 1401-106957**

**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 April 14, 2015, in Henrico County, Virginia. Ms. Breeden was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 15, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Breeden 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. Connie Breeden, C.N.A. was issued Certificate No. 1401-106957 to practice as a certified nurse aide in Virginia on December 15, 2004. Said certificate expired on December 31, 2014.

2. By letter dated March 10, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Breeden notifying her that an informal conference would be held on April 14, 2015. The Notice was sent by certified and first class mail to 1317 Franklin Street, Bluefield, West Virginia, 24701, the address of record on file with the Board of Nursing. The certified mail receipt was not returned to the Board office. 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. Breeden, and the informal conference proceeded in her absence.

3. During the course of her employment with Westwood Center, Bluefield, West Virginia, on June 27, 2014, Ms. Breeden forced a resident to eat after the resident indicated that she was full and told the resident that she was “going to eat every bit,” or words to that effect. Furthermore, during the incident the resident’s false teeth fell out of her mouth; Ms. Breeden failed to retrieve them for the resident and left them on the floor. This caused the resident to cry. The resident and her roommate both confirmed the allegation. Another nurse aide reported that when she entered the room, the resident was crying and her false teeth were on the floor, and that the resident and her roommate consistently described Ms. Breeden’s actions.

4. As a result of this incident, Ms. Breeden’s employment with Westwood Center was terminated on July 2, 2014.

5. Ms. Breeden consistently denied the allegations throughout the investigations of the matter by Westwood Center and by the Department of Health Professions.

#### **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 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 CFR §483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

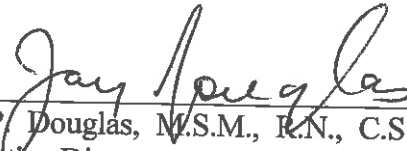
1. The right of Connie Breeden to renew Certificate No. 1401-1106957 is REVOKED.
2. The certificate will be recorded as REVOKED.
3. A Finding of Abuse shall be ENTERED against Ms. Breeden in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D).

This finding prohibits Ms. Breeden's employment as a certified nurse aide in any long-term care facility that receives Medicare or Medicaid reimbursement, according to 42 CFR § 483.13(c)(1)(ii)(B).

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. Breeden failed to appear at the informal conference, this Order shall be considered final. Ms. Breeden 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. Breeden 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: \_\_\_\_\_

July 20<sup>th</sup>, 2015

Certified True Copy

By 

Virginia Board Of Nursing