

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LINDA DILLMAN, R.M.A.
Registration No. 0031-001303**

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 December 11, 2014, in Henrico County, Virginia. Linda Dillman, R.M.A., 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 January 28, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Dillman 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. Linda Dillman, R.M.A. was issued Registration No. 0031-001303 to practice as a medication aide in Virginia on November 24, 2008. The registration is scheduled to expire on March 31, 2015.
2. By letter dated November 20, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Dillman notifying her that an informal conference would be held on December 11, 2014. The Notice was sent by certified and first class mail to Post Office Box 1088, Chilhowie, Virginia 24319. According to the United States Postal Service, the Notice sent by certified

mail has been ready for pick up at Ms. Dillman's local post office since November 22, 2014. As of December 11, 2014, 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. Dillman and the informal conference proceeded in her absence.

3. On June 11, 2014, and June 12, 2014, by her own admission, Ms. Dillman documented in Resident A's Medication Administration Record that she had applied the topical medication ordered by the resident's physician, when she had not actually done so.

4. Between October 28, 2013, and November 5, 2013, Ms. Dillman failed to seek medical assistance for Resident B when she was notified by direct care staff that Resident B was not feeling well. This resident suffered from chronic obstructive pulmonary disease and congestive heart failure, and was mildly cognitively impaired and mentally ill. He had shortness of breath and had requested the "rescue wagon."

5. The resident died on November 5, 2013, after being found unresponsive on the floor of his room. Ms. Dillman denied that she knew the resident had any breathing problems.

6. As of September 22, 2014, Ms. Dillman was still employed at this facility.

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 90-60-120(2)(d), (f), (l) and (m) and 18 VAC 90-60-110(A)(2) of the Regulations Governing the Registration of Medication Aides ("Regulations").

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-60-120(2)(f) of the Regulations.

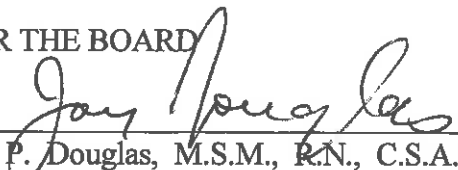
ORDER

WHEREFORE, it is hereby ORDERED as follows:

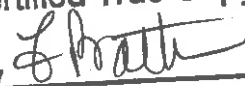
1. Registration No. 0031-001303 of Linda Dillman to practice as a medication aide is INDEFINITELY SUSPENDED for a period of not less than one year.
2. The registration will be recorded as suspended and no longer current.
3. At such time as Ms. Dillman shall petition the Board for reinstatement of her registration, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a medication aide. Ms. Dillman shall be responsible for any fees that may be required for the reinstatement and renewal of the registration prior to issuance of the registration to resume practice.

Since Ms. Dillman failed to appear at the informal conference, this Order shall be considered final. Ms. Dillman 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. Dillman 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


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

Certified True Copy

By 
Virginia Board Of Nursing

Entered: 