

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LINDA DILLMAN, C.N.A.
Certification No. 1401-057103**

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, C.N.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, C.N.A., R.M.A., was issued Certificate No. 1401-057103 to practice as a nurse aide on January 20, 1996. The certificate expired on January 31, 2014.
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, during the course of her employment with Hands of

Grace Assisted Living Facility (“Hands of Grace”), Marion, Virginia, 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. As of September 22, 2014, she continues employment at this facility.

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 continues to be 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 90-25-100(2)(d) and (e) of the Regulations Governing Certified Nurse 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 90-25-100(2)(e) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Linda Dillman to renew Certificate No. 1401-057103 to practice as a nurse aide is INDEFINITELY SUSPENDED for a period of not less than one year.

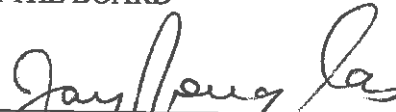
2. The certification will be recorded as suspended and no longer current.

3. At such time as Ms. Dillman shall petition the Board for reinstatement of her certification, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a nurse aide. Ms. Dillman shall be responsible for any

fees that may be required for the reinstatement and renewal of the certification prior to issuance of the certification 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

Entered: February 10TH, 2015

Certified True Copy

By 
Virginia Board Of Nursing