

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MECCA WASHINGTON, C.N.A. APPLICANT

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 January 28, 2015, in Henrico County, Virginia, to receive and act upon Ms. Washington's application for certification to practice as a nurse aide in Virginia, received by the Board on May 8, 2014. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Washington was 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. On May 8, 2014, Ms. Washington submitted an application for certification by examination to practice as a nurse aide in the Commonwealth of Virginia. Ms. Washington currently holds a registration to practice as a medication aide in Virginia.
2. On October 30, 2013, Ms. Washington was admitted to Bon Secours, Richmond Community Hospital, Richmond, Virginia, for mental health concerns. Ms. Washington reported feeling "rage" and she reported experiencing auditory and visual hallucinations. During her admission, Ms. Washington tested positive for cocaine and marijuana (THC). At discharge, Ms. Washington was diagnosed with poly-substance dependency, posttraumatic stress disorder and personality disorder with borderline versus antisocial features. The physician indicated that Ms. Washington's prognosis was solely dependent on her

ability to follow through with drug and alcohol rehabilitation programming and her ability to remain abstinent. At the formal hearing, Ms. Washington testified that the documents pertaining to rage and hallucinations were not true.

3. On May 8, 2014, the Board received an application for certification as a nurse aide submitted by Ms. Washington. On her application Ms. Washington answered “no” to the question asking if she had any mental, physical, or chemical dependency condition that could interfere with her current ability to practice as a nurse aide.

4. Ms. Washington was unable to tell the Board her exact sobriety date but stated she has not used drugs since the date of her hospitalization. She testified she sees her primary care doctor every month for treatment of Graves disease. Ms. Washington testified that her psychiatrist removed the diagnosis of bipolar disorder from her medical history and is no longer prescribing her psychiatric medications.

5. Ms. Washington was accompanied at the formal hearing by her case manager from Ultimate Outcomes Therapeutic Services, with whom she has been working since November 27, 2012. The case manager testified that she has seen an improvement in Ms. Washington’s coping skills. She testified that to her knowledge Ms. Washington has not been abusing drugs since her hospitalization.

6. Ms. Washington is currently employed at Always Best Care as a client companion.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of §54.1-3007(6) of the Code.
2. Finding of Fact No. 3 constitutes 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.
3. Ms. Washington otherwise meets the requirements of § 54.1-3023 of the Code.

ORDER

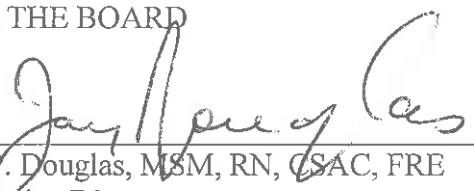
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as

follows:

1. The application of Mecca Washington for certification as a nurse aide is hereby APPROVED.
2. Upon successful completion of the NNAAP examination, Ms. Washington shall be issued a certificate to practice as a nurse aide in the Commonwealth, subject to the following terms and conditions: Ms. Washington shall have an evaluation by a mental health specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 90 days after the date that this Order is entered. Upon receipt of the required information, the Board may request that Ms. Washington appear before a Special Conference Committee in order to consider the specialist's recommendations and to make a final disposition of this matter.

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



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.