

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: WANDA J. LOCKETT, C.N.A.
Certificate No.: 1401-071801

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 October 30, 2014, in Henrico County, Virginia. Wanda J. Lockett, 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. Lockett 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. Wanda Lockett, C.N.A., was issued Certificate No. 1401-071801 to practice as a nurse aide in Virginia on April 15, 1998. The certificate is scheduled to expire on April 30, 2015.
2. By letter dated September 9, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Lockett notifying her that an informal conference would be held on October 14, 2014. The Notice was sent by certified and first class mail to 13658 Warwick Boulevard, Newport News, Virginia 23602, the address of record on file with the Board of Nursing. The Notice sent by certified class mail was returned to the Board office on October 14, 2014, marked "Unable to Forward."

The Notice sent by first class mail was returned to the Board office on September 22, 2014, marked “Moved.” By letter dated October 8, 2014, sent by certified and first class mail, the Board notified Ms. Lockett that the informal conference scheduled for October 14, 2014, was continued until October 30, 2014. The continuance letter sent by certified mail was returned to the Board office on October 15, 2014, marked “Unable to Forward.” The continuance letter sent by first class mail was returned to the Board office on October 21, 2014, marked “Moved.” The Agency Subordinate concluded that adequate notice was provided to Ms. Lockett and the informal conference proceeded in her absence.

3. On March 24, 2014, during the course of her employment with the Hermitage, Richmond, Virginia, Ms. Lockett deliberately prevented Resident A, who is cognitively impaired, from attending a program as punishment for “misbehaving” the previous day.

4. Ms. Lockett stated to the investigator for the Department of Health Professions that she took the resident to the event, but had returned to the unit because the resident misbehaved. The facility found no video evidence that Ms. Lockett attempted to take the resident to the event.

5. On March 25, 2014, Ms. Lockett was terminated from the Hermitage for being dishonest about the events of that day.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Wanda J. Lockett, C.N.A., is hereby REPRIMANDED.
2. Ms. Lockett shall maintain a course of conduct in her capacity as a certified nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Lockett failed to appear at the informal conference, this Order shall be considered final. Ms. Lockett 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. Lockett 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 (3) days are added to that period.

FOR THE BOARD


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

Entered: February 5, 2015

Certified True Copy

By 
Virginia Board Of Nursing