

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: NATHANIEL RICHARDSON, C.N.A.  
Certificate No.: 1401-010921**

**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 September 9, 2014, in Henrico County, Virginia. Nathaniel Richardson, C.N.A., was not present nor was he represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Richardson was not present nor was he 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. Nathaniel Richardson, C.N.A., was issued Certificate No. 1401-010921 to practice as a nurse aide by the Virginia Board of Nursing on June 30, 1989. Said certificate is set to expire on June 30, 2015.
2. By letter dated August 5, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Richardson notifying him that an informal conference would be held on September 9, 2014. The Notice was sent by certified and first class mail to 6229 Adam's Hunt Drive, Williamsburg, Virginia, the address of record on file with the Board of Nursing. According to the United States Postal

Service website, the Notice sent by certified mail was delivered on August 7, 2014. As of September 9, 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 Mr. Richardson and the informal conference proceeded in his absence.

3. During the course of his employment with Eastern State Hospital, Williamsburg, Virginia, on November 20, 2013, Mr. Richardson was viewed on video grabbing a patient by the arm and shirt and pushing the patient, in his wheelchair, into the seclusion room without authorization. He was placed on administrative leave from his position.

4. Mr. Richardson declined to provide a response when contacted by the investigator for the Department of Health Professions. He stated that he retired early when confronted about the incident.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code of Virginia (1950), as amended (“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. Certificate No. 1401-010921 of Nathaniel Richardson to practice as a nurse aide is REVOKED.

2. The certificate will be recorded as revoked and no longer current.


3. A Finding of Abuse shall be ENTERED against Mr. Richardson 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 Mr. Richardson'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 Mr. Richardson failed to appear at the informal conference, this Order shall be considered final. Mr. Richardson 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, Mr. Richardson has (30) thirty days from the date of service (the date he actually received this decision or the date it was mailed to him, 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:

December 1, 2014

Certified True Copy

By   
Virginia Board Of Nursing