



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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

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NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

September 4, 2014

Corinna L. Bedard, C.N.A.
107 Harper Court
Staunton, VA 24401

and

5915 Massey Road
Spotsylvania, VA 22551

CERTIFIED MAIL
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RE: VA Certificate No.: 1401-159051
Expiration Date: April 30, 2015

Dear Ms. Bedard:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **September 23, 2014 at 10:30 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia. In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), this informal conference will be held before an agency subordinate of the Board of Nursing. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia

Specifically:

1. You may have violated §54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides in that:

a. During the course of your employment at Team Nurse Verona ("Team Nurse"), Verona, Virginia, from on or about November 25, 2013 to November 29, 2013, you reported to work at Brightview Assisted Living Facility ("Brightview"), Staunton, Virginia, instead of reporting to the home of Client A to carry out her established plan of care.

b. During the course of your employment at Brightview:

i. On or about January 3, 2014, you made Resident B, who had dementia, clean up her own vomitus and kept her from moving about freely by directing her to go to her room.

ii. On or about February 28, 2014, you failed to report for a scheduled shift without notice, and subsequently abandoned your position as a resident assistant.

c. During the course of your employment as a nurse aide at Augusta Nursing and Rehab Center ("Augusta"), Fishersville, Virginia:

i. On or about November 1, 2013, you failed to give a shower to a resident as instructed by the nurse, and instead, left the facility.

ii. On or about October 31, 2013, you failed to call or report to your scheduled shift as a nurse aide, thus abandoning the residents under your care.

iii. On or about October 6, 2013, you arrived late to your shift which resulted in breakfast trays not being served until 10:30 a.m., and left the facility when you were instructed not to leave with the lunch trays on the floor.

iv. On or about October 5, 2013, you arrived late to your shift and then failed to provide care to a soiled resident when asked to do so by the nurse.

v. On or about October 16, 2013, you failed to call or report to your scheduled shift as a nurse aide, thus abandoning the residents under your care.

vi. On or about October 16, 2013, you pushed Resident C and her wheel chair, without holding on to the chair, and the chair ran into a door frame.

vii. On or about October 28, 2013, you failed to give a shower to a resident as instructed by the nurse, and instead, left the facility.

viii. On or about November 10, 2013, you failed to ensure a resident's safety and failed to report that she had wandered from the facility into the parking lot.

2. You may have violated §54.1-3007(2) and (3) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations in that during the course of your employment at Team Nurse, from on or about November 25, 2013 to November 29, 2013, you falsified your timesheet when you documented that you reported to the home of Client A when you had not been there, but had instead reported to Brightview for work.

3. You may have violated §54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(i) of the Regulations in that during the course of your employment as a nurse aide at Augusta, on or about September 26, 2013, you inappropriately conversed with a resident by revealing your personal employment problems and making disparaging remarks about staff at the facility.

Please see Attachment 1 for the names of the client and residents referenced above.

In its deliberations, the agency subordinate may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After consideration of all information, the agency subordinate may:

- If the agency subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice as a nurse aide in the Commonwealth;
- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your certificate, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the agency subordinate may refer this matter for a formal administrative proceeding pursuant to § 2.2-4020 of the Code.

If the agency subordinate finds that there is sufficient evidence to find you in violation of the above charge(s) and § 54.1-3007(8) of the Code, the agency subordinate shall recommend that the Board make a finding of abuse, neglect, or misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

Board's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and move the case to formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

You have the right to information that will be relied upon by the agency subordinate in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the agency subordinate, and will be considered when discussing the allegations with you and when deliberating upon your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, by September 18, 2014. Your documents may not be submitted by facsimile or email.

You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on September 23, 2014. A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by 12 noon on September 18, 2014. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after September 18, 2014 will not be considered.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Please advise the Board, in writing, of your intention to be present. If you have any questions regarding this notice, please contact our office, at (804)367-4614.

Sincerely,



Brenda Krohn, R.N., M.S.
Deputy Executive Director

BK/fdb
Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Jan Willis, Adjudication Specialist
Kevin W. Almeida, Senior Investigator (Case no. 154364)
Agency Subordinate