

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SONJA D. WILLIAMS, C.N.A.
Certificate No.: 1401-089238

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 October 20, 2014, in Henrico County, Virginia, to receive and act upon Sonja D. Williams' application for reinstatement of her certificate to practice as a certified nurse aide in Virginia which was mandatorily suspended by Order of the Board entered on June 22, 2010, and to inquire into evidence that Ms. Williams may have violated certain laws and regulations governing practice as a certified nurse aide in Virginia. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. James E. Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Williams 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. Sonja D. Williams, C.N.A., was issued Certificate No. 1401-089238 to practice as a certified nurse aide in the Commonwealth of Virginia on November 9, 2001. Said certificate was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions, entered on June 22, 2010.
2. Ms. Williams submitted an application for reinstatement of her certificate to practice as a nurse aide to the Board on June 13, 2014.

3. On June 3, 2010 Ms. Williams was convicted on one count of grand larceny, a felony offense, in the Newport News, Virginia, Circuit Court. Ms. Williams was sentenced to 10 years in the Virginia Department of Corrections, with 10 years suspended, for a period of 10 years, contingent on her good behavior. Ms. Williams was placed on supervised probation for a period of one year, or until restitution is paid in full. She was ordered to pay \$2,385.00 in restitution to the victim of the theft; Ms. Williams had been hired to assist the victim and her husband in their home. As of August 18, 2014, Ms. Williams has an outstanding balance of \$2,005.00 in restitution and she has failed to make a restitution payment since December 2013. This conviction formed the basis of the mandatory suspension of her Certificate by Order of the Virginia Department of Health Professions, entered June 22, 2010.

4. By her own admission, Ms. Williams worked as a certified nurse aide while her certificate was suspended.

5. During the course of her employment with Heart & Soul Assisted Living Facility ("Heart & Soul"), Newport News, Virginia, between October 2008 and May 2009, Ms. Williams took items including video games and a video game console, cash and a food benefits program card from facility residents.

6. Ms. Williams' employment with Heart & Soul was terminated on May 20, 2009.

7. On her application for employment with the Governor's Inn Retirement Center, Newport News, Virginia, dated June 15, 2009 Ms. Williams failed to list her employment with Heart & Soul between October 2008 and May 2009, from which she was terminated.

8. Ms. Williams employment with the Governor's Inn Retirement Center was terminated on July 31, 2009, because she was a "no call, no show" for her scheduled shift.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of §54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").

2. Finding of Fact No. 5 constitutes a violation of §54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides ("Regulations").
3. Finding of Fact No. 7 constitutes a violation of §54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.
4. Finding of Fact No. 5 and Conclusion of Law No. 2 constitute a finding of misappropriation of patient property pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.
5. Sonja D. Williams has not demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

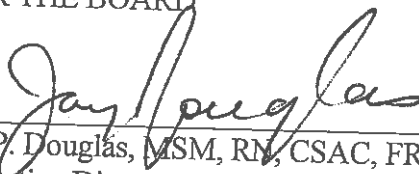
ORDER

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

1. The application of Sonja D. Williams for reinstatement of her certificate to practice as a certified nurse aide in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing.
2. The right of Ms. Williams to renew Certificate No. 1401-089238 to practice as a certified nurse aide in the Commonwealth of Virginia is hereby REVOKED.
3. A finding of misappropriation of patient property shall be ENTERED against Ms. Williams 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 Ms. Williams' 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 §§ 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 P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

November 14th, 2014

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.

Certified True Copy

By draham
Virginia Board Of Nursing