

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BARBARA MULHI, C.N.A.
Certificate No.: 1401-025176

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 September 17, 2014, in Henrico County, Virginia, to inquire into evidence that Barbara Mulhi, C.N.A. may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by Jan Willis, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Mulhi was present and was represented by Margaret Hardy, Esquire. 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. Barbara Mulhi, C.N.A., was issued Certificate No. 1401-025176 to practice as a nurse aide in Virginia on May 18, 1991. The certificate is scheduled to expire on May 31, 2015.
2. On October 30, 2013, during the course of her employment with Autumn Care of Chesapeake, Chesapeake, Virginia, Ms. Mulhi left a resident alone in the bathroom and went to lunch.
3. On October 30, 2013, Ms. Mulhi returned to the resident's room after being told by the charge nurse not to do so and inappropriately questioned the resident.
4. The resident became upset following the incident and had to be given medication to calm down.
5. Ms. Mulhi's employment with Autumn Care was terminated following this incident. She worked at Autumn Care from March 2013 until November 2013, during which time she received at least two verbal warnings.

6. Since 2009, Ms. Mulhi has worked in approximately 25 different positions, many of which were through staffing agencies. Nine of those positions ended with termination.

7. Ms. Mulhi is currently employed with the Laurels of University Park.

8. Ms. Mulhi denied the allegation that she spoke rudely and displayed a threatening demeanor to the resident.

CONCLUSIONS OF LAW

The Board concludes that Findings of Fact Nos. 2 and 3 constitute violations of § 54.1-3007(5) of the Code.

ORDER

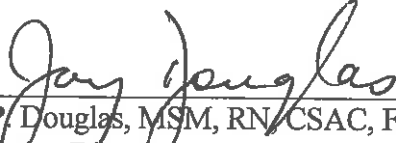
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Barbara Mulhi, C.N.A., is hereby REPRIMANDED.

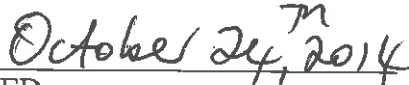
2. Ms. Mulhi shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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



ENTERED

Certified True Copy

By 

Virginia Board Of Nursing

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.