

VIRGINIA:

BEFORE THE BOARD OF NURSING

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

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Barbara L. Mulhi, C.N.A., who holds Certificate No. 1401-025176 to practice as a nurse aide in Virginia, which expires on May 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on September 17, 2014, at 2:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Mulhi will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Mulhi has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If she desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.


The purpose of the hearing is to inquire into evidence that she may have violated certain laws and regulations governing nurse aide practice, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that Barbara L. Mulhi, C.N.A. 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 during her employment with Autumn Care of Chesapeake, Chesapeake, Virginia, on or about October 30, 2013, she left a resident, who required oxygen, sitting on the toilet without her oxygen and went to lunch. After the resident reported that Ms. Mulhi had left her on the toilet without oxygen, Ms. Mulhi returned to the resident's room, displayed a threatening demeanor, and spoke rudely to her.

If the Board finds that Barbara L. Mulhi, C.N.A., is in violation of the above allegation(s) and § 54.1-3007(8) of the Code, the Board shall 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 Ms. Mulhi's future employment as a certified nurse aide in any long term care facility which receives Medicare or Medicaid reimbursement.

FOR THE BOARD


So Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: August 29, 2014