

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: VANDA NIXON, C.N.A.
Certificate No.: 1401-147869**

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 August 5, 2014 in Henrico County, Virginia. Ms. Nixon was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 17, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Nixon was not present nor was she 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. Vanda Nixon, C.N.A., was issued Certificate No. 1401-147869 to practice as a certified nurse aide in Virginia on September 13, 2011. The certificate is scheduled to expire on September 30, 2014.
2. By letter dated July 3, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Nixon notifying her that an informal conference would be held on August 5, 2014. The Notice was sent by certified and first class mail to 512 Ashlawn Drive, Apt. 1, Norfolk, Virginia, 23505, the address of record on file with the Board of Nursing. The certified letter sent to 512 Ashlawn Drive, Apt 1, Norfolk, Virginia was delivered on July 5, 2014 and the signature card bearing a signature of Cynthia Nixon was received by the Board office on July 8, 2014. The first class mail was not returned to the Board office. The Notice was also sent to 714 Ballentine Blvd., Norfolk, Virginia, 23504, a secondary address. The certified mail was returned to the Board office on August 4, 2014 unclaimed and the first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Nixon and the informal conference proceeded in her absence.

3. During the course of her employment with Lake Taylor Transitional Care Hospital (“Lake Taylor”), Norfolk, Virginia, on February 4, 2014:

a. While attending to a pediatric patient, Ms. Nixon used the Yankeur suction. Use of the Yankeur suction was outside her scope of practice as a nurse aide. Ms. Nixon indicated that she only suctioned around the trach opening and did not suction down the trach.

b. While providing care to a trach/ventilator patient, by her own admission, Ms. Nixon turned the patient without the assistance of a co-worker. The patient required the use of a two-person assist.

c. While working her 7:00 p.m. to 7:00 a.m. shift, Ms. Nixon was given permission to go to her vehicle at approximately 9:00 p.m. By her own admission, Ms. Nixon did not return to her patients, and she failed to inform anyone of her intention to not return.

4. Ms. Nixon’s actions did not result in patient harm.

5. Ms. Nixon’s employment with Lake Taylor was terminated on February 5, 2014 after a 37-day term of employment.

6. Ms. Nixon has been employed four times as a C.N.A. since she became certified in 2011; two of the four employments resulted in termination. Her current employment status is unknown.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of §54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(a) of the Regulations Governing Certified Nurse Aides.

2. Findings of Fact Nos. 3(b) and (c) constitute a violation of §54.1-3007 (5) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Vanda Nixon, C.N.A. is hereby REPRIMANDED.

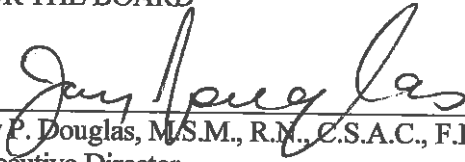
2. Ms. Nixon shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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 Ms. Nixon failed to appear at the informal conference, this Order shall be considered final. Ms. Nixon 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, Ms. Nixon has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, 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 (3) 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: September 30th, 2014

Certified True Copy

By 
Virginia Board Of Nursing