

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: NANU W. FEMI, C.N.A.
 Certificate No.: 1401-096226**

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 July 29, 2014, in Henrico County, Virginia. Ms. Femi was not present and was not represented by legal counsel. Nancy K. Durrett, 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. Femi 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. Nanu W. Femi, C.N.A. was issued Certificate No. 1401-096226 to practice as a nurse aide in Virginia on January 11, 2003. The certificate expired on January 31, 2014 and has not been renewed.
2. By letter dated July 2, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Femi notifying her that an informal conference would be held on July 29, 2014. The Notice was sent by certified and first class mail to 1305 Grimes Road, Newport News, Virginia 23663, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office marked "unclaimed." The Notice sent by first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Femi and the informal conference proceeded in her absence.
3. During her employment at The Gardens at Warwick Forest, Newport News, Virginia, on December 28, 2013, Ms. Femi, by her own admission, engaged in a verbal altercation with Resident A, who was alert and oriented. The resident reported to the charge nurse that Ms. Femi called him a "fat ass" and directed other profanity at him.

4. After being confronted about the incident by the charge nurse, Ms. Femi agreed she spoke inappropriately and probably called the resident names. She stated “I’m tired, I quit” and that she was “burned out.” She abandoned her duty station, surrendered her badge, collected her belongings, and left the premises.

5. The resident stated he felt uncomfortable and embarrassed and worried that Ms. Femi may return to the facility to harm him.

6. Ms. Femi’s employment was terminated and she is not eligible for re-hire with The Gardens at Warwick Forest. She has not attempted to return to the facility and has not contacted the facility.

7. Ms. Femi was terminated from Coliseum Park Nursing Home, Hampton, Virginia in February 2010 for not calling and for not showing up for work; from Eastern State Hospital, Williamsburg, Virginia in February 2011 for not calling and for not showing up for work; and from Bon Secours, Mary Immaculate Hospital, Richmond, Virginia on October 10, 2012 for using profanity while talking to a patient.

CONCLUSIONS OF LAW

1. Finding of Fact Nos. 3-4 constitute violations of § 54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact Nos. 3-4 and Conclusion of Law No. 1 constitute a Finding of Abuse pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

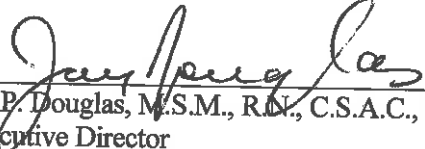
1. Certificate No. 1401-096226 of Nanu W. Femi, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Abuse shall be ENTERED against Ms. Femi in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Femi’s 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 § 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. Femi failed to appear at the informal conference, this Order shall be considered final. Ms. Femi 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. Femi 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 29th, 2014

Certified True Copy

By 

Virginia Board Of Nursing