

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ERIN HOEMMAN, C.N.A.
Certificate No.: 1401-158074**

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 Virginia Board of Nursing ("Board") on May 7, 2014, in Henrico County, Virginia. Ms. Hoemman was not present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hoemman 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. Erin Hoemman, C.N.A., was issued Certificate No. 1401-158074 to practice as a nurse aide in Virginia on February 11, 2013. The certificate is scheduled to expire on February 28, 2015.

2. By letter dated April 3, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hoemman notifying her that an informal conference would be held on May 7, 2014. The Notice was sent by certified and first class mail to 34 S. India Alley, Apt. 6, Winchester, VA 22601, the address of record on file with the Board of Nursing. Ms. Hoemman signed her certified mail receipt and returned it to the Board. The first class mail was not returned to the Board. The Agency Subordinate concluded that adequate notice was provided to Ms. Hoemman and the informal conference proceeded in her absence.

3. During her employment with Envoy of Winchester, Winchester, Virginia:

a. On February 7, 2014, Ms. Hoemman was assigned to provide one-to-one coverage of Resident A, a disoriented resident with dementia, for the resident's safety, to prevent him from removing his

neck brace. Ms. Hoemman pulled the curtain around the bed, got into bed with said resident and fell asleep. She was discovered by a L.P.N. in the resident's bed. There was no harm to the resident.

b. Later, during the same shift, Ms. Hoemman awakened abruptly, locked herself into the bathroom and could be heard yelling obscenities by a ward L.P.N. As Ms. Hoemman left the bathroom witnesses smelled alcohol in her vicinity and she appeared intoxicated. Ms. Hoemman left the facility abruptly, leaving her patient without one-to-one coverage.

c. Ms. Hoemman had four (4) corrective actions while she was employed at Envoy of Winchester. Including on December 9, 2013, Ms. Hoemman disconnected and reconnected a patient's intravenous tube, which was beyond her scope of practice as a nurse aide.

d. Ms. Hoemman's employment at Envoy of Winchester was terminated on February 14, 2014.

4. Ms. Hoemman refused to meet with an investigator from the Department of Health Professions.

CONCLUSIONS OF LAW

1. Findings of Fact No. 3(a) and (b) constitute violations of § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides ("Regulations").

2. Finding of Fact No. 3(c) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(a) and (e) of the Regulations.

3. Findings of Fact Nos. 3 (a), (b) and (c) and Conclusions of Law Nos. 1 and 2 constitute a Finding of Neglect 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. 1401-158074 is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Neglect shall be ENTERED against Ms. Hoemman 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. Hoemman'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. Hoemman failed to appear at the informal conference, this Order shall be considered final. Ms. Hoemman 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. Hoemman 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


Sr Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: July 22, 2014

Certified True Copy

By 
Virginia Board Of Nursing