

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRANDI SALVATO, C.N.A.
Certificate No.: 1401-082499

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. Salvato was not present nor was she 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. Salvato 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. Brandi Salvato, C.N.A., was issued Certificate No. 1401-082499 to practice as a nurse aide in Virginia on May 12, 2000. The certificate is scheduled to expire on May 31, 2014.

2. By letter dated April 3, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Salvato notifying her that an informal conference would be held on May 7, 2014. The Notice was sent by certified and first class mail to 809 Headrow Terrace, Hampton, Virginia 23666, the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board. The first class mail was not returned to the Board. The Agency Subordinate concluded that adequate notice was provided to Ms. Salvato and the informal conference proceeded in her absence.

3. During her employment with Chesson & Associates, Newport News, Virginia, from November 1, 2013, to December 23, 2013, Ms. Salvato called in nine (9) prescriptions for Patient A for Zubsolv (buprenorphine and naloxone, schedule III) in the name of Douglas Chesson, M.D., as prescriber, at a time when

Dr. Chessen was not Patient A's physician and had not ordered the medication. Ms. Salvato claimed to be a nurse practitioner, in the employ of Dr. Chessen, when she called in prescriptions, and she used false names to obtain prescriptions. Patient A stated that he was asked to pay a "fee" to Ms. Salvato for calling in the prescriptions for Zubsolv. Ms. Salvato called in weekly prescriptions for Patient A to four (4) different pharmacies, picked them up on November 1, 2013 and then took the prescriptions to his home.

4. In November, 2013, Ms. Salvato practiced beyond the scope of a nurse aide in administering Valium (diazepam, schedule IV) to Patient A. Valium is contraindicated when given with Zubsolv as it suppresses respiration. According to Patient A, the respondent provided him with valium from a "tackle box" of drugs. There was no patient harm.

5. From August, 2013 to December, 2013, Ms. Salvato violated professional boundaries with Patient B by dating Patient B and spending the night at his home. Ms. Salvato admitted to Dr. Chessen's receptionist that she, Ms. Salvato, had been sleeping with Patient B.

6. In December, 2013, Ms. Salvato criticized Patient C, a patient of Chessen & Associates, in front of others in a bar for drinking alcohol in contravention of his substance abuse treatment program, thereby violating his right to privacy as a participant in the IOP program. Patient C reported the incident when asked why he had discontinued treatment.

7. Ms. Salvato denied all of the allegations listed above.

8. Ms. Salvato's employment was terminated on December 20, 2013.

9. Ms. Salvato has had 12 jobs in 12 years, and was terminated from two of these jobs.

CONCLUSIONS OF LAW

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

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(a) of the Regulations.

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

4. Finding of Fact #6 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(j) of the Regulations.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-082499 of Brandi Salvato, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.

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. Salvato failed to appear at the informal conference, this Order shall be considered final. Ms. Salvato 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. Salvato 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


So 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