

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: PHYLLIS SEKPEH, R.M.A.
Registration No.: 0031-001661**

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 May 6, 2014, in Henrico County, Virginia. Phyllis Sekpeh, R.M.A., 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 July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms Sekpeh 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. Phyllis Sekpeh, R.M.A., was issued Registration No. 0031-001661 to practice as a medication aide in Virginia on December 19, 2008. The registration is scheduled to expire on May 31, 2015.
2. By letter dated April 9, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Sekpeh notifying her that an informal conference would be held on May 6, 2014. The Notice was sent by certified and first class mail to 3180 L.P. Bailey Memorial Highway, Halifax, Virginia, 24558, the address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was signed by a third party and returned to the Board office on April 15, 2014. The Notice sent via first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Sekpeh and the informal conference proceeded in her absence.
3. By her own admission, as owner of Sekpeh's Adult Home, Halifax, Virginia, on June 9, 2013,

Ms. Sekpeh failed to report an incident of staff abuse of a resident, and she failed to seek medical attention for the injured resident. The resident had been beaten about the head and face, resulting in two black eyes and multiple facial lacerations, which were not treated until later when the resident was taken to the emergency room by a relative.

4. The person responsible for the abuse of the resident was Ms. Sekpeh's brother, a registered medication aide, who was found guilty of abuse of an incapacitated adult on October 21, 2013. Following the incident, Ms. Sekpeh continued to allow her brother to come into facility at least twice a month, allegedly to use the computer in the facility.

5. By her own admission, as owner of Sekpeh's Adult Home, Ms. Sekpeh administered medication to residents outside the authorized window of time for medication administration. There were no Medication Administration Records available for use in the facility and there was no evidence of any method of recording the administering of medications to residents.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-60-120(2)(f) and (m) and 18 VAC 90-60-110(A)(3) of the Regulations Governing the Registration of Medication Aides ("Regulations").

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2), (5), (8) of the Code and 18 VAC 90-60-120(f) and (m) and 18 VAC 90-60-110(A)(1) and (2) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Phyllis Sekpeh, R.M.A., is hereby REPRIMANDED.
2. Registration No. 0031-001661 of Phyllis Sekpeh, R.M.A., is INDEFINITELY SUSPENDED until such time as Ms. Sekpeh pays a MONETARY PENALTY of ONE THOUSAND DOLLARS (\$1,000.00) to the Board, at which time her registration shall be reinstated.
3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the

practice of medication aides in the Commonwealth of Virginia shall constitute grounds for the revocation of the registration of Ms. Sekpeh and an administrative proceeding shall be convened to determine whether such registration shall be revoked.

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. Sekpeh failed to appear at the informal conference, this Order shall be considered final. Ms. Sekpeh 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. Sekpeh 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, R.N., M.S.M., C.S.A.C., 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, R.N., M.S.M., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: July 21, 2014

Certified True Copy

By 
Virginia Board Of Nursing