



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

Board of Nursing (804) 367-4555
Nurse Aide Registry (804) 367-4639
FAX (804) 527-4455

September 5, 2007

Latoya Washington, C.N.A.
818 Mallside Forest Court, #203
Charlottesville, Virginia 22901

CERTIFIED MAIL
71603901984990858395

Re: Certificate No.: 1401-110511
Expiration Date: September 30, 2007

Dear Ms. Washington:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), **on October 9, 2007, at 9:00 a.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee (“Committee”), which is comprised of at least two members of the Virginia Board of Nursing (“Board”), will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Board of Nursing Regulations in that during the course of your employment with Winterhaven Assisted Living, Charlottesville, Virginia (“Winterhaven”):

a. On or about September 8, 2005, you failed to notice that a resident had left the building, and failed to notify the resident’s family or physician about the incident. You also failed to respond to a supervisor’s request for written report about the incident.

b. On or about October 22, 2005, you left Resident A with dried feces on her body and on her feet inside her socks. On or about October 24, 2005, you left the same resident soaked with urine in a bed soaked with urine.



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

Board of Nursing (804) 367-4555
Nurse Aide Registry (804) 367-4639
FAX (804) 527-4455

September 5, 2007

Latoya Washington, C.N.A.
P.O. Box 924
Troy, Virginia 22974

CERTIFIED MAIL
71603901984990858388

Re: Certificate No.: 1401-110511
Expiration Date: September 30, 2007

Dear Ms. Washington:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), **on October 9, 2007, at 9:00 a.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Board of Nursing Regulations in that during the course of your employment with Winterhaven Assisted Living, Charlottesville, Virginia ("Winterhaven"):

a. On or about September 8, 2005, you failed to notice that a resident had left the building, and failed to notify the resident's family or physician about the incident. You also failed to respond to a supervisor's request for written report about the incident.

b. On or about October 22, 2005, you left Resident A with dried feces on her body and on her feet inside her socks. On or about October 24, 2005, you left the same resident soaked with urine in a bed soaked with urine.

c. Between December 1, 2005 and January 6, 2006:

i. You pulled on the arms and hands of Resident B, who had been diagnosed with dementia. Resident B was later noted to have broken blood vessels under the skin of his hands and right arm.

ii. You handled the wheelchairs of Residents C and D in a rough manner. Resident D was receiving hospice services.

iii. You pulled on Resident E, who was receiving hospice services.

iv. You pushed and pulled on Resident F.

v. You used foul language in the presence of residents, families, and other staff.

d. On or about January 2, 2006, you took a piece of greenery from the hands of Resident F, who had been diagnosed with dementia. Resident F was sitting in the dining area at the time, and became so upset that she left the dining room without eating dinner.

Your employment at Winterhaven was terminated as a result of these incidents.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(d) of the Board of Nursing Regulations in that on your application for employment at Our Lady of Peace, Charlottesville, Virginia, dated September 7, 2006, you stated that your reason for leaving Winterhaven was “went to Heritage Hall.” when, in fact, your employment was terminated for resident abuse.

Please see Attachment I for the names of the residents referenced above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice as a nurse aide in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you; or
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If the Committee finds that there is sufficient evidence to find you in violation of the above charge(s) and § 54.1-3007(8) of the Code, the Committee shall make a finding of abuse, neglect, or misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

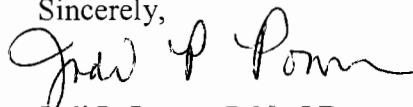
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4543, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, by October 4, 2007. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Also enclosed are copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the relevant laws and regulations governing the practice of nursing in Virginia.

Sincerely,



Jodi P. Power, R.N., J.D.
Deputy Executive Director
Nurse Aide Registry Manager

JPP/ef/jjr
Enclosures

cc: Sandra Whitley Ryals, Director, Department of Health Professions
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Emily Field, Adjudication Specialist
Kevin M. Pultz, Senior Investigator (Case no. 107083)