

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: VICKIE GROOME, C.N.A.
Certificate No.: 1401-140057**

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 March 11, 2014, in Henrico County, Virginia. Vickie Groome, C.N.A., was not present nor was she represented by legal counsel. Judith Piersall, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Groome 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. Vicki Groome, C.N.A., was issued Certificate No. 1401-140057 to practice as a nurse aide in Virginia on September 21, 2010. The certificate is scheduled to expire on September 30, 2014.
2. By letter dated February 11, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Groome notifying her that an informal conference would be held on March 11, 2014. The Notice was sent by certified and first class mail to 1353 Mount Pleasant Church Road, Mineral, Virginia, 23117, the address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was returned unsigned to the Board office on February 28, 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. Groome and the informal conference proceeded in her absence.
3. During the course of employment with Dogwood Village of Orange County, Orange, Virginia:

a. On June 28, 2013, Ms. Groome directed profanity toward a resident and forcefully directed a resident to bed. The resident appeared frightened and cried during the interaction. This incident was witnessed by two other staff members.

b. On July 2, 2013, she used profanity in the presence of a resident while yelling at staff members. This incident, during which Ms. Groome exhibited physically threatening behavior, occurred while another staff member was directing Ms. Groome to close the curtain to protect a resident's privacy. This incident was witnessed by another staff member.

4. Ms. Groome's employment was terminated following these incidents. She had been previously counseled and received sensitivity training in March 2013 regarding her behavior toward and in the presence of residents. She also had been previously suspended.

5. The staff member who witnessed the July 2, 2013, incident wrote in a statement that Ms. Groome was frequently harsh and disrespectful toward residents.

6. During the investigation, Ms. Groome denied acting in an abusive manner toward the residents.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3(a) and 3(b) constitute violations of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations Governing Certified Nurse Aides.

2. Findings of Fact Nos. 3(a) and 3(b) and Conclusion of Law No. 1 constitute Findings of Abuse pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D).

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Certificate No. 1401-140057 of Vickie Groome, C.N.A., is REVOKED.
2. The certificate will be recorded as suspended and no longer current.
3. A Finding of Abuse shall be ENTERED against Ms. Groome 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. Groome'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. Groome failed to appear at the informal conference, this Order shall be considered final. Ms. Groome 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. Groome 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


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

Entered: May 30, 2014

Certified True Copy

By 
Virginia Board Of Nursing