

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LOMEKA D. BOYD, C.N.A.
Certificate No.: 1401-095417

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 January 7, 2014, in Henrico County, Virginia. Lomeka D. Boyd, C.N.A., was not present nor was she represented by legal counsel. Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Boyd 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. Lomeka D. Boyd, C.N.A., was issued Certificate No. 1401-095417 to practice as a nurse aide in Virginia on November 16, 2002. The certificate expired on November 30, 2013.
2. By letter dated December 16, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Boyd notifying her that an informal conference would be held on January 7, 2014. The Notice was sent by certified and first class mail to 3721 Forest Haven Drive, Richmond, Virginia 23234, the address of record on file with the Board of Nursing. The certified mail receipt was signed on December 17, 2013. The first class mailing was returned to the Board office marked, "RETURN TO SENDER VACANT UNABLE TO FORWARD." The Agency Subordinate concluded that adequate notice was provided to Ms. Boyd and the informal conference proceeded in her absence.

3. On July 31, 2013, Ms. Boyd was admitted to Tucker Pavilion with a diagnosis of depression not otherwise specified, and during her admission, she received treatment for detoxification from alcohol, cocaine and marijuana. At the time of her admission, Ms. Boyd was 12 weeks pregnant.

4. During her admission to Tucker Pavilion, Ms. Boyd reported that she was not employed.

5. Ms. Boyd's last psychiatric admission was in 2007.

6. Ms. Boyd did not respond to attempts by investigator with the Virginia Department of Health Professions to contact her.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Lomeka D. Boyd to renew Certificate No. 1401-095417 is INDEFINITELY SUSPENDED for a period of not less than two years.

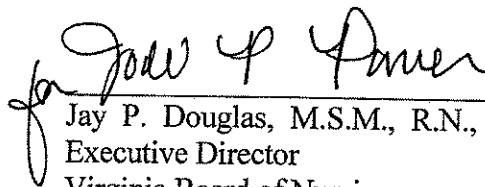
2. The certificate will be recorded as suspended and no longer current.

3. At such time as Ms. Boyd shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of a nurse aide. Ms. Boyd shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

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



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

Entered: March 27, 2014

Certified True Copy

By 
Virginia Board Of Nursing