

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DONNA MAY, R.N.
 License No.: 0001-234323**

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 December 3, 2013, in Henrico County, Virginia. Donna May, R.N., was present and was not represented by legal counsel. Janet Younger, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. May 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. Donna May, R.N., was issued License No. 0001-234323 to practice professional nursing in Virginia on October 26, 2011. The license is scheduled to expire on May 31, 2014. Ms. May was also issued License No. 0002-074158 to practice practical nursing in Virginia on August 15, 2006. That license expired on May 31, 2012. Ms. May's primary state of residence is Virginia.
2. By letter dated November 8, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. May notifying her that an informal conference would be held on December 3, 2013. The Notice was sent by certified and first class mail to 187 Edgewater Drive, Cedar Bluff, Virginia, 24609, the address of record on file with the Board of Nursing.
3. During the course of her employment with Preferred Home Health, from June 21, 2013,

through June 23, 2013, Ms. May falsely documented assessing Client A's Foley catheter when she did not actually do so, and she failed to document the client's refusal to have his catheter assessed.

4. During the course of her employment with Sunbelt Staffing, while under contract to Gentiva Home Health, Roanoke, Virginia, on March 4, 2013, Ms. May falsely documented making a home visit to Client B when she did not actually do so, and she forged Client B's signature on the timesheet memorializing the alleged visit.

5. Ms. May's employment was terminated with both Sunbelt Staffing and Preferred Home Health as a result of these incidents.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 and 4 constitute violations of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Donna May, R.N., is hereby REPRIMANDED.
2. Ms. May shall provide the Board with verification that she has completed the following NCSBN online course: *Documentation: A Critical Aspect of Client Care* within 30 days of the entry of this Order.
3. Ms. May shall pay a MONETARY PENALTY of \$200.00 to the Board within 45 days of the date this Order is entered.
4. Ms. May shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
5. Any violation of the terms and conditions of this Order or of any law or regulation

affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. May and an administrative proceeding shall be convened to determine whether such license shall be suspended or 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. May may, not later than 5:00 p.m., on March 26, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

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

ENTERED: *February 21, 2014*

This Order shall become final on March 26, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By *[Signature]*
Virginia Board of Nursing