

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEVONA DILLARD, C.N.A.
Certificate No.: 1401-051360

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 17, 2013, in Henrico County, Virginia. Devona Dillard, C.N.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 January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Dillard 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. Devona Dillard, C.N.A., was issued Certificate No. 1401-051360 to practice as a nurse aide in Virginia on April 8, 1995. The certificate is scheduled to expire on April 30, 2014.
2. By letter dated November 21, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Dillard notifying her that an informal conference would be held on December 17, 2013. The Notice was sent by certified and first class mail to 1465 Elijah Circle, Martinsville, Virginia 24112, the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board's office. The first class mail was not returned to the Board's office. The Agency Subordinate concluded that adequate notice was provided to Ms. Dillard and the informal conference proceeded in her absence.
3. Ms. Dillard was treated at the Piedmont Community Services Board, Martinsville, Virginia, from October 2012 to June 2013 where she was diagnosed with delusional disorder and anxiety disorder. On October 17, 2013, her treatment provider opined that she could not concentrate on work because of her intrusive thoughts and

feelings. During an interview with a Department of Health Professions investigator, Ms. Dillard stated that her intrusive thoughts and feelings were the result of being the victim of voodoo.

4. Ms. Dillard was admitted to Memorial Hospital of Martinsville, Martinsville, Virginia, in August 2002, and her diagnosis on discharge was major depressive disorder, recurrent, moderate with psychotic features.

5. On October 10, 2013, Ms. Dillard signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"). On October 25, 2013, HPMP received Ms. Dillard's letter of resignation from the program. On November 6, 2013, HPMP dismissed Ms. Dillard from the program.

6. In a letter to the Department of Health Professions received August 27, 2013, Ms. Dillard wrote "is it acceptable for a certified nursing assistant to work in a healthcare setting with a medical diagnosis of delusional disorder due to voodoo, anxiety disorder due to magic spells, and possibly induced schizophrenia. Spirits are tuned into my thoughts."

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 and 4 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

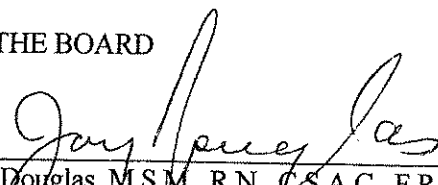
1. Certificate No. 1401-051360 of Devona Dillard, C.N.A., is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Dillard shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent practice as a nurse aide. Ms. Dillard 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. Dillard failed to appear at the informal conference, this Order shall be considered final. Ms. Dillard 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. Dillard 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: February 12th, 2014

Certified True Copy

By 
Virginia Board Of Nursing