

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TOWONDER RIDDICK, C.N.A.
 Certificate No.: 1401-075926**

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. Towonder Riddick, 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. Riddick 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. Towonder Riddick, C.N.A., was issued Certificate No. 1401-075926 to practice as a nurse aide in Virginia on November 21, 1998. The certificate expired on November 30, 2013.
2. By letter dated November 19, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Riddick notifying her that an informal conference would be held on December 17, 2013. The Notice was sent by certified and first class mail to 902 Charlotte Street, Norfolk, Virginia 23504, the address of record on file with the Board of Nursing. The Notice sent by certified mail and the Notice sent by first class mail were not returned to the Board's office. The Agency Subordinate concluded that adequate notice was provided to Ms. Riddick and the informal conference proceeded in her

absence.

3. During the course of her employment with Cedar Manor Assisted Living Facility, Chesapeake, Virginia, on August 11, 2013, Ms. Riddick stole an unknown amount of cash from a resident. The resident's family member placed a camera in the resident's room after there were reports of theft in the facility. Ms. Riddick can be seen on video going into the resident's closet, opening the resident's purse, and removing an item from the purse. Immediately after the incident, the resident's family member reported cash was missing from the resident's purse.

4. On September 12, 2013, during an interview with an investigator from the Department of Health Professions, Ms. Riddick denied taking money out of the resident's purse. As a result of the theft, Ms. Riddick's employment was terminated on August 18, 2013. She had been working at the facility since October 15, 2012. The Director of Nursing at Cedar Manor Assisted Living Facility described Ms. Riddick as a "not very good C.N.A." Previously, Cedar Manor Assisted Living Facility issued Ms. Riddick a discipline report on February 22, 2013, for falling asleep while on duty and another discipline report on June 28, 2013, for unsatisfactory work performance and poor attitude. After the June 28, 2013, incidents, Cedar Manor Assisted Living Facility placed Ms. Riddick on a performance improvement plan.

5. Ms. Riddick was previously employed at Autumn Care of Norfolk, Norfolk, Virginia, from January 2007 to October 2011, when she resigned. During her employment at Autumn Care of Norfolk, Ms. Riddick received six corrective action reports, including three for insubordination. Ms. Riddick is not eligible for rehire at Autumn Care of Norfolk.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides.

2. Finding of Fact No. 3 and Conclusion of Law No. 1 constitute a Finding of misappropriation of patient property pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

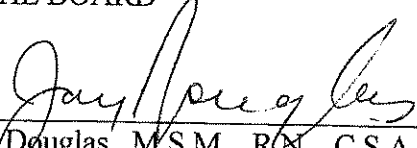
1. The right of Towonder Riddick, C.N.A., to renew Certificate No. 1401-075926 is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. A Finding of Misappropriation of patient property shall be ENTERED against Ms. Riddick in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Riddick'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. Riddick failed to appear at the informal conference, this Order shall be considered final. Ms. Riddick 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. Riddick 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