

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: BERTHA WOOD, C.N.A.
 Certificate No.: 1401-128084**

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 Virginia Board of Nursing ("Board") on October 10, 2013, in Henrico County, Virginia. Ms. Wood was not present and was not represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Wood was not present nor was she represented by legal counsel. Ms. Wood submitted written comments/objections.

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. Bertha Wood was issued Certificate No. 1401-128084 to practice as a nurse aide in Virginia on January 28, 2009. The certificate is scheduled to expire on January 31, 2014.
2. By letter dated September 4, 2013, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Wood notifying her that an informal conference would be held on October 10, 2013. The Notice was sent by certified and first class mail to 25424 Wexmouth Drive, Abingdon, Virginia 24211, the address of record on file with the Board of Nursing. Ms. Wood signed the certified mail receipt. The Agency Subordinate concluded that adequate notice was provided to Ms. Wood and the informal conference proceeded in her absence.

3. Following her resignation from Bristol Home Health Services, Bristol, Virginia, on May 13, 2013, Ms. Wood visited Client A, a home care client, in contravention of her former employer's written policy, and acted in a manner that constituted an inappropriate relationship with her former client, as follows:

a. Ms. Wood asked Client A, who was described by her private sitter as alert and oriented, for some of her Lortab pills (hydrocodone, Schedule II) which Client A gave to her. Client A's private sitter, who reported Ms. Wood's pill-seeking conversation with former Client A to the human resources manager of Bristol Home Health Services, indicated that Ms. Wood had made similar requests in the past for Client A to give her pills prescribed by her physician.

b. Ms. Wood provided a bottle of liquor to former Client A, who had multiple health problems and required 24-hour supervision, without receiving permission from Client A's physician to do so.

4. Ms. Wood has denied all allegations that any of her behavior with former Client A was inappropriate.

CONCLUSIONS OF LAW

1. Findings of Fact No. 3(a) and (b) constitute a violation of § 54.1-3007(2), (3), (5), and (6) of the Code and 18 VAC 90-25-100 (2)(c), (g), and (i) of the Regulations Governing Certified Nurse Aides ("Regulations").

ORDER

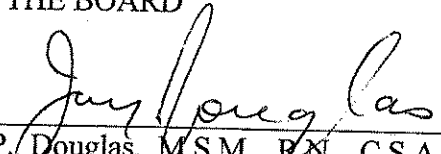
WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-128084 is REVOKED.
2. The certificate will be recorded as revoked and no longer current.

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

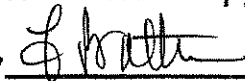
FOR THE BOARD



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

Entered: December 16TH, 2013

Certified True Copy

By 

Virginia Board Of Nursing