

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: WENNETTE RUFFIN, C.N.A., R.M.A. APPLICANT
Certificate No.: 1401-000130

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(7) and (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. Ruffin was not present nor was she 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. Ruffin 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. Wennette Ruffin was issued Certificate No. 1401-000130 to practice as a nurse aide in Virginia on May 1, 1989. The certificate is scheduled to expire on May 31, 2014.
2. Ms. Ruffin submitted an application for registration by examination as a medication aide which was received by the Board on June 29, 2013.
3. By letter dated September 11, 2013, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Ruffin notifying her that an informal conference would be held on October 10, 2013. The Notice was sent by certified and first class mail to 549 Osceola Avenue, Suffolk, Virginia 23434, the address of record on file with the Board of Nursing. The certified mail receipt card and the exhibits sent by certified mail were returned to the Board office as they were unclaimed by Ms. Ruffin. The Notice sent by regular mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Ruffin and the informal conference proceeded in her absence.

4. During her employment with Lake Prince Woods, Suffolk, Virginia (“Lake Prince Woods”), on April 3, 2013, Ms. Ruffin roughly handled Resident A while toileting her and failed to report that Resident A had skin tears on her arm and wrist.

5. As a result of the incident described in Finding of Fact No. 4, Ms. Ruffin’s employment was terminated on April 8, 2013.

6. Ms. Ruffin denied causing the injury to Resident A and stated she did not report the injury because she did not know that an injury had occurred even though there was active bleeding from the tear noted.

7. Mr. Ruffin’s personnel record, since July, 2011, revealed nine disciplinary actions, primarily dealing with attendance issues and Ms. Ruffin’s slow response to requests for care. She began her employment with Lake Prince Woods on July 20, 2010.

CONCLUSIONS OF LAW

1. Finding of Fact #4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code, 18 VAC 90-25-100 (2)(e) of the Regulations Governing Certified Nurse Aides, and 18 VAC 90-60-110(A)(3) and 18 VAC 90-60-120(2)(f) of the Regulations Governing the Registration of Medication Aides.

2. Finding of Fact No. 4 and Conclusion of Law No. 1 constitute findings of Abuse and Neglect pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

3. Ms. Ruffin does not meet the requirements of 18 VAC 90-60-90 of the Regulations Governing the Registration of Medication Aides

ORDER

WHEREFORE, it is hereby ORDERED as follows:

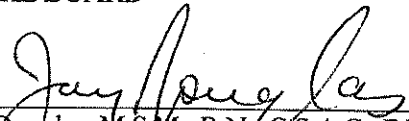
1. Certificate No. 1401-000130 of Wennette Ruffin, C.N.A., is REVOKED.
2. The certificate will be recorded as revoked and no longer current.
3. Findings of Abuse shall be ENTERED against Ms. Ruffin in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Ruffin’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).

4. The medication aide application of Ms. Ruffin is DENIED.

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. Ruffin failed to appear at the informal conference, this Order shall be considered final. Ms. Ruffin 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. Ruffin 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 13TH, 2013

Certified True Copy

By 

Virginia Board Of Nursing