

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TINY H. HILLIARD, R.N.
License No.: 0001-056571

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 August 27, 2013, in Henrico County, Virginia. Tiny H. Hilliard, R.N., was not present nor was she represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., 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. Hilliard submitted written comments and/or 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. Tiny H. Hilliard, R.N., was issued License No. 0001-056571 on September 11, 1974 to practice professional nursing in Virginia. The license is scheduled to expire on March 31, 2015. Her primary state of residence is Virginia.
2. By letter dated August 6, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hilliard notifying her that an informal conference would be held on August 27, 2013. The Notice was sent by certified and first class mail to 2525 Pompey Spring Road, Richmond, Virginia 23234, the address of record on file with the Board of Nursing. The certified mail receipt was signed on August 10, 2013. The Notice sent by first class mail was not returned to the Board office. The Agency

Subordinate concluded that adequate notice was provided to Ms. Hilliard, and the informal conference proceeded in her absence.

3. During the course of her employment as owner and director of nursing for Old Dominion Home Health Services, Richmond, Virginia, on October 11, 2012, Ms. Hilliard assigned Individual A, a licensed practical nurse, to provide care for Patient B, a nine-year-old diagnosed with spastic quadriparetic cerebral palsy, on a ventilator, and with a tracheostomy tube ("trach") in place, knowing that she did not have ventilator experience or training. On November 20, 2012, Patient B's trach tube became dislodged, and he stopped breathing. Individual A failed to reposition the tracheostomy tube and initiate manual ventilation using a resuscitator bag.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(d) and (f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

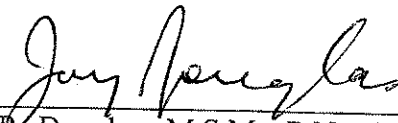
1. Tiny H. Hilliard, R.N., is hereby REPRIMANDED.
2. Ms. Hilliard shall provide the Board with verification that she has completed the following National Council of State Boards of Nursing ("NCSBN") online courses within 60 days of the entry of this Order: Professional Accountability and Legal Liability for Nurses; Ethics of Nursing Practice; and Righting a Wrong: Ethics and Professionalism in Nursing.
3. Ms. Hilliard 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 Regulations Governing the Practice of Nursing.

4. 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 Tiny H. Hilliard, R.N., 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.

Since Ms. Hilliard failed to appear at the informal conference, this Order shall be considered final. Ms. Hilliard 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. Hilliard 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, Henrico, 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 10th 2013

Certified True Copy

By: 
Virginia Board of Nursing