

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LINDSAY ZIMMERMAN, R.N.
License No.: 0001-227922

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 September 25, 2013, in Henrico County, Virginia. Lindsay Zimmerman, R.N., was present and was not represented by legal counsel. Janet Younger, Ph.D., R.N., P.N.P., 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. Zimmerman 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. Lindsay Zimmerman, R.N., was issued License No. 0001-227922 to practice professional nursing in Virginia on November 3, 2010. The license is scheduled to expire on March 31, 2014. Her primary state of residence is Virginia.
2. By letter dated August 30, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Zimmerman notifying her that an informal conference would be held on September 25, 2013. The Notice was sent by certified and first class mail to 9280 Eclipse Drive, Suffolk, Virginia 23433, the address of record on file with the Board of Nursing.
3. During the course of her employment with Consulate Healthcare of Windsor, Windsor,

Virginia, on December 22, 2012, Ms. Zimmerman engaged in a verbal altercation, in which she used profanity, with a resident who suffered from dementia. Two other staff members, an R.N. and a nurse aide, witnessed Ms. Zimmerman yelling and cursing at the resident. After Ms. Zimmerman and the resident were separated, Ms. Zimmerman briefly followed the resident down the hall, yelling at the resident.

4. The witnesses noted that Ms. Zimmerman had a “bad attitude” and had a pattern of becoming verbally abusive with residents of Consulate Healthcare in the past.

5. Ms. Zimmerman’s employment with Consulate Healthcare was terminated as a result of this incident. She has had four nursing employers since becoming licensed in November 2010. She is currently working at a restaurant.

6. Ms. Zimmerman denied fighting with or cursing at the resident, but acknowledged that she raised her voice to him. She stated that when the resident became argumentative with her, she tried to “stand [her] ground” and told him that she would call the police if he continued to talk to her like that. She expressed a willingness to receive further training on how to interact with patients.

CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Lindsay Zimmerman, R.N., is hereby REPRIMANDED.
2. Ms. Zimmerman shall provide the Board with verification that she has completed a Board-approved course on managing difficult patient behavior and the following NCSBN online courses within 60 days of the entry of this Order: *Professional Accountability & Legal Liability for*

Nurses; Ethics of Nursing Practice; and Righting a Wrong: Ethics and Professionalism in Nursing.

3. Ms. Zimmerman 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 Board of Nursing Regulations.

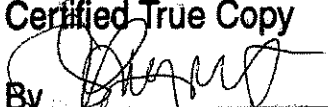
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Zimmerman and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

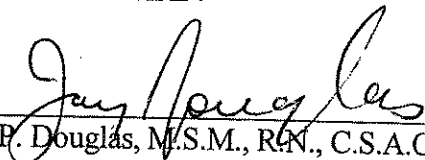
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Zimmerman may, not later than 5:00 p.m., on January 13, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

Certified True Copy

By 
Virginia Board of Nursing


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

This Order shall become final on January 13, 2014 unless a request for a formal administrative hearing is received as described above.