

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**TAMMY BELL, R.M.A.
Registration No.: 0031-003288**

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 26, 2013, in Henrico County, Virginia. Tammy Bell, R.M.A., was not present nor was she represented by legal counsel. Jane Elliott, R.N., 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. Bell 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. Tammy Bell, R.M.A., was issued Registration No. 0031-003288 to practice as a medication aide in Virginia on August 3, 2009. The registration is scheduled to expire on December 31, 2013.
2. By letter dated August 30, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Bell notifying her that an informal conference would be held on September 26, 2013. The Notice was sent by certified and first class mail to 1416 English Tavern Road, Lynchburg, Virginia 24501, the address of record on file with the Board of Nursing. The certified mail receipt was signed on September 10, 2013. The Notice sent by first class mail was not returned to the Board's office. The Agency Subordinate concluded that adequate notice was provided to Ms. Bell and the informal

conference proceeded in her absence.

3. During the course of her employment with Runk & Pratt Senior Living, Lynchburg, Virginia, on February 17, 2013, Ms. Bell hit Resident A, who was combative, multiple times on the thigh. Ms. Bell also grabbed Resident A's arms and roughly pushed them down, and she spoke rudely while turning Resident A. Two nurse aides saw the incident, and one of the nurse aides heard Ms. Bell call Resident A "a two ton bitch."

4. Ms. Bell denied using foul language, but admitted she "tapped" the resident. The resident was not injured. Ms. Bell's employment was suspended, and she was not put back on the schedule at Runk & Pratt Senior Living as a result of the incident.

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 90-60-120(2)(f) of the Governing the Registration of Medication Aides ("Regulations").

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. Registration No. 0031-003288 of Tammy Bell, R.M.A., is REVOKED.
2. The registration will be recorded as revoked and no longer current.
3. At such time as Ms. Bell shall petition the Board for reinstatement of her registration, an administrative proceeding will be convened to determine whether she is capable of resuming safe and competent medication aide practice. Ms. Bell shall be responsible for any fees that may be required for the reinstatement and renewal of the registration prior to issuance of the registration to resume practice.

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.

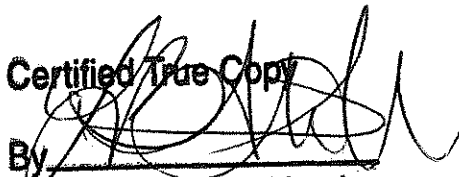
Since Ms. Bell failed to appear at the informal conference, this Order shall be considered final. Ms. Bell has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Bell has thirty (30) days from the date of service (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 6th, 2013

Certified True Copy

By _____
Virginia Board of Nursing