

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DENEEN EDMONDS, C.N.A.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on April 12, 2011, in Henrico County, Virginia, to inquire into evidence that Deneen Edmonds, C.N.A., may have violated certain laws and regulations governing nurse aide practice in Virginia. Ms. Edmonds was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Deneen Edmonds was issued Certificate No. 1401-079743 to practice as a nurse aide in the Commonwealth of Virginia on August 14, 1999. Said certificate expires on August 31, 2011.
2. By letter dated March 15, 2011, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Edmonds notifying her that an informal conference would be held on April 12, 2011. The Notice was sent by certified and first class mail to 2504 Troycott Place, Richmond, Virginia 23237, the address of record on file with the Board of Nursing.
3. On January 21, 2011, Ms. Edmonds admitted to an investigator for the Department of Health Professions that she used marijuana to help her sleep and feel better. Ms. Edmonds further stated that if she took a drug screen that day it would be positive for marijuana.
4. From December 21, 2010, to December 27, 2010, during the course of her treatment at Tucker Pavilion, CJW Medical Center, Richmond, Virginia, Ms. Edmonds admitted to threatening to attempt suicide. Moreover, Ms. Edmonds was diagnosed with depression, not otherwise specified, and chemical

dependency. Ms. Edmonds admitted to using at least ten tablets of oxycodone (schedule III) or hydrocodone (Schedule III) each day without a prescription. On the day of Ms. Edmond's admission, she took a drug screen that was positive for THC.

5. From July 22, 2010, to July 29, 2010, Ms. Edmonds was admitted to Tucker Pavilion for substance dependence and severe depression.

6. At the informal conference, Ms. Edmonds reported that her date of sobriety is December 21, 2010. Ms. Edmonds submitted a letter dated April 11, 2011, from the Chesterfield Mental Health-Mental Retardation and Substance Abuse Department that stated Ms. Edmonds began substance abuse treatment on January 5, 2011, and she has been compliant with treatment since that time.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3, 4, and 5 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Deneen Edmonds, C.N.A., shall be placed on PROBATION for a period of two years of actual nurse aide practice and subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Edmonds has completed two years of active employment as a certified nurse aide. The certificate of Ms. Edmonds shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

b. Ms. Edmonds shall inform the Board in writing within ten days of the date she begins nurse aide practice, or changes employment, or if any interruption in nurse aide practice occurs. Additionally, Ms. Edmonds shall provide the name and address of each employer to the Board.

c. Ms. Edmonds shall inform her current nurse aide employer and each future nurse aide employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Edmonds is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance Evaluations shall be provided, at the direction of Ms. Edmonds, by all nurse aide employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

e. Ms. Edmonds shall comply with all recommendations of her counselor at Chesterfield Mental Health-Mental Retardation and Substance Abuse Department. If therapy is recommended, written quarterly progress reports by the therapist, along with all of Ms. Edmonds' urine screen results, shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Edmonds is discharged from therapy. Ms. Edmonds shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

f. Ms. Edmonds shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

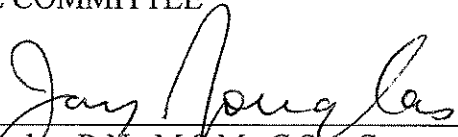
g. Ms. Edmonds shall return all copies of her certificate to practice as a certified nurse aide to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$5.00. Upon receipt, the Board shall issue a new a certificate marked “Probation with Terms.”

h. Ms. Edmonds shall conduct herself as a certified nurse aide in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the certificate of Ms. Edmonds and an administrative proceeding shall be held to decide whether her certificate shall be revoked.

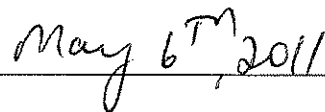
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE COMMITTEE



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

ENTERED: _____



NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee’s decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, within 33 days of the date of service of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.