

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CYNTHIA BRAWLEY, L.P.N.
License No.: 0002-066681**

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 June 4, 2013, in Henrico County, Virginia, to inquire into evidence that Cynthia Brawley, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Brawley was not 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. Cynthia Brawley, L.P.N., was issued License No. 0002-066681 to practice practical nursing in the Commonwealth of Virginia on July 22, 2003. Said license expires on March 31, 2014. Ms. Brawley's primary state of residence is Virginia.
2. By letter dated May 7, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Brawley notifying her that an informal conference would be held on June 4, 2013. The Notice was sent by certified and first class mail to 1513 West Beverly Street, Staunton, Virginia, 24401, the address of record on file with the Board of Nursing. On May 28, 2013, the receipt for the Notice sent via certified mail was returned to the Board office unsigned and the Notice was returned marked "Return to Sender - Attempted-Not Known - Unable to Forward." The Notice sent via first-class mail was not returned to the Board office. The Committee Chair concluded that adequate notice was provided to Ms. Brawley and the informal conference proceeded in her absence.

3. During course of her employment with Augusta Nursing and Rehabilitation Center, Fishersville, on April 1, 2012, Ms. Brawley failed to check and address Resident A's leaking catheter for several hours after another staff member reported the leak.

4. Ms. Brawley's employment was terminated following this incident.

5. Ms. Brawley did not respond to repeated requests to speak to an investigator for the Department of Health Professions in connection with this matter.

6. Ms. Brawley was previously reprimanded by the Board for a breach of patient confidentiality.

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)(f) of the Regulations Governing the Practice of Nursing.

ORDER

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

1. Cynthia Brawley, L.P.N., is hereby REPRIMANDED.

2. Ms. Brawley shall provide the Board with verification that she has completed the following NCSBN online courses within 60 days of the date this Order is entered: *Ethics of Nursing Practice* and *Professional Accountability and Legal Liability*.

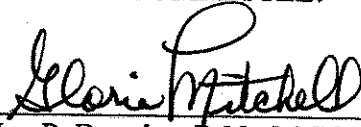
3. Ms. Brawley shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Brawley, and an administrative proceeding shall be convened to determine whether such license shall be suspended or 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.

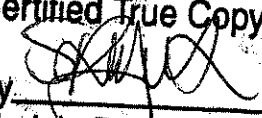
Pursuant to Section 54.1-2400(10) of the Code, Ms. Brawley may, not later than 5:00 p.m., on July 29, 2013, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED June 26, 2013

This Order shall become final on July 29, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing