

during the course of his employment with Five Star Quality Care, Inc., while assigned to Dominion Village Assisted Living Facility, Poquoson, Virginia:

a. On or about February 5, 2010, Mr. Talmadge sexually abused Resident A. Immediately after Mr. Talmadge left the resident's room, the resident was found lying on her back with her buttocks pushed to the edge of the bed; her top was unbuttoned and her brief was pulled down around her ankles, exposing her entire body below the waist. The staff member who observed the resident noted that she was clutching her pajama top closed and refused to allow the staff member to assist her. It was also noted that the resident had some redness on her inner thighs. The resident appeared to be scared, nervous and upset. The resident also asked the staff member, "what did he say about prison sex?" The resident was subsequently transported to the emergency room, and rescue workers reported hearing her comment that she "thought he was a nice boy."

b. In or about January, 2010, Mr. Talmadge made an inappropriate comment to Resident B in that he told the resident that making snow angels would make her nipples hard.

2. Mr. Talmadge may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that during the course of his employment with Newport News Nursing and Rehabilitation Center, Newport News, Virginia:

a. Between July, 2004, and October, 2004, Mr. Talmadge sexually abused Resident C in that he fondled her breasts, and he had inappropriate conversations with her regarding his personal life.


b. On or about October 14, 2004, Mr. Talmadge made an inappropriate comment to Resident D in front of the resident's family members and other residents in that he told the resident if she did not behave herself, he was going to spank her ass when she returned.

3. Mr. Talmadge may have violated § 54.1-3007(2) and (3) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

a. On the application for employment with Five Star, dated April 27, 2009, Mr. Talmadge failed to list his reason for leaving employment with Newport News Nursing and Rehabilitation Center, where his employment was terminated on November 1, 2004, due to the above-referenced incident with Resident C. He also failed to list his prior employment with and termination from Envoy of Williamsburg, Virginia, where his employment was terminated in March, 2009. He also answered “no” to the question, “have you ever been convicted of a misdemeanor,” when, in fact, he was convicted of improper telephone communications on December 4, 1997, in the United States District Court, Western District of Louisiana.

b. On the application for employment with Care Advantage, Newport News, Virginia, dated March 16, 2009, Mr. Talmadge indicated that his reason for leaving employment with Newport News Nursing and Rehabilitation was “took new position with N.N. City,” when, in fact, his employment was terminated as referenced above. Mr. Talmadge also failed to list his employment with and termination from Envoy of Williamsburg. Additionally, Mr. Talmadge answered “no” to the question “have you ever been discharged or asked to resign from employment,” when, in fact, he had been terminated from Newport News Nursing and Rehabilitation and Envoy of Williamsburg. He also answered “no” to the question “have you ever been convicted of, plead guilty to, or pled nolo contendere to a felony or a misdemeanor in Virginia or outside of the jurisdiction of Virginia,” when, in fact he had been convicted in the United States District Court, Western District of Louisiana.

FOR THE BOARD


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

ENTERED: February 22nd, 2011