

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SANDRA BIRD, L.P.N.
License No.: 0002-055753

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 15, 2014, in Henrico County, Virginia, to inquire into evidence that Sandra Bird, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Bird 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. Sandra Bird, L.P.N., was issued License No. 0002-055753 to practice as a practical nurse in the Commonwealth of Virginia on February 6, 1998. Said license expires on October 31, 2014. Her primary state of residence is Virginia.
2. By letter dated March 26, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Bird notifying her that an informal conference would be held on April 15, 2014. The Notice was sent by certified and first class mail to P. O. Box 116, Salem, Virginia 24153, the address of record on file with the Board of Nursing. The Notice was also sent to 501 Elm Avenue SE, Roanoke, Virginia 24013, a secondary address.
3. During the course of her employment with Maxim Healthcare, Roanoke, Virginia, while assigned to provide home health care to Clients A and B, Ms. Bird provided incontinence care to Clients A and B without wearing gloves and without washing her hands in between. At the informal conference, Ms.

Bird stated that there was a shortage of gloves and that on most occasions she used hand sanitizer. She also said that the times that she did not use hand sanitizer were primarily times when there was an emergency need to switch patients.

4. By her own admission, Ms. Bird lived in the home of Clients A and B for approximately two to three months. She acknowledged that this was crossing professional boundaries.

5. Ms. Bird's employment with Maxim Healthcare was terminated on September 20, 2013. She reported that she is currently not employed.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(I) of the Regulations Governing the Practice of Nursing.

ORDER

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

1. The Committee shall TAKE NO ACTION at this time, contingent upon Sandra Bird, L.P.N, providing the Board with verification that she has completed the following NCSBN online course within 30 days of the date this Order is entered: *Respecting Professional Boundaries*.


2. Ms. Bird 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.

3. 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. Bird 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. Bird may, not later than 5:00 p.m., on **June 22, 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 COMMITTEE:


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

ENTERED: 

This Order shall become final on June 22, 2014, unless a request for a formal administrative hearing is received as described above.