

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JODY LYNN MARTIN HALL, R.N.
License Number: 0001-155540
Case Number: 173046

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing ("Board") held a formal administrative hearing on November 15, 2017, in Henrico County, Virginia, to inquire into evidence that Jody Lynn Martin Hall, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Jody Lynn Martin Hall, R.N., did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated October 20, 2017, the Board sent a Notice of Formal Hearing ("Notice") to Ms. Hall notifying her that a formal administrative hearing would be held on November 15, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS website, the certified mail is being returned to the Board office marked "unclaimed." The Notice sent by first class mail was not returned to the Board office. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Hall and the formal hearing proceeded in her absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On August 15, 1997, the Board issued License Number 0001-155540 to Jody Lynn Martin Hall, R.N., to practice professional nursing in the Commonwealth of Virginia. Said license is scheduled to expire on June 30, 2019. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is West Virginia.

2. During the course of her employment at Evergreen Health and Rehabilitation, Winchester, Virginia, on March 31, 2016, Ms. Hall diverted controlled substances for her own personal and unauthorized use. Specifically, a coworker witnessed Ms. Hall remove ten tablets of hydrocodone-acetaminophen, 5mg-325mg (C-II), a controlled substance, from the medication card of a discharged resident, place two of the tablets into a sharps container for wastage and place the remainder of the tablets in her pocket.

3. On October 26, 2010, Ms. Hall entered into a Consent Order with the Maryland Board of Nursing (“Maryland Board”) which placed her on probation for a minimum of five years, subject to certain terms and conditions. The action taken against Ms. Hall’s licensure was based, in part, upon the following findings:

a. In June 2000, the Maryland Board received a complaint that during a two-week period, Ms. Hall withdrew 139 doses of Percocet (hydrocodone-acetaminophen, C-II) for patients that had no physician orders for the medication.

b. On June 8, 2000, Ms. Hall submitted to a drug screen which was positive for oxycodone.

c. On November 20, 2000, Ms. Hall entered into a participation agreement with the Maryland Board’s Rehabilitation Committee. On November 21, 2003, Ms. Hall was expelled from the Rehabilitation Program due to noncompliance with her agreement, in part, because her employment was

terminated due to suspicions that she diverted Flexeril from a patient's home, she failed to submit required reports and she failed to submit to required drug screens.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(c) effective February 24, 2017).
2. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(7).

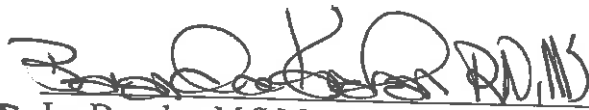
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The license issued to Jody Lynn Martin Hall, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from the date of entry of this Order.
2. The license of Ms. Hall will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Hall, seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Hall to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Hall shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD


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

ENTERED AND MAILED ON:

December 12, 2017

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 
Virginia Board Of Nursing