

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TIA K. McBRIDE, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-077168**

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 February 9, 2016, in Henrico County, Virginia, to receive and act upon the application of Tia K. McBride for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. McBride may have violated certain laws and regulations governing practical nursing practice. Ms. McBride was present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Tia K. McBride was issued License No. 0002-077168 to practice practical nursing in the Commonwealth of Virginia on November 20, 2007. Said license was suspended by Order of the Board entered on February 9, 2015. Her primary state of residence is Virginia.
2. By letter dated January 7, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. McBride notifying her that an informal conference would be held on February 9, 2016. The Notice was sent by certified and first class mail to 4767 Old Franklin Turnpike, Glade Hill, Virginia 24092, the address of record on file with the Board of Nursing.
3. Ms. McBride submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on July 14, 2015.

4. By Order entered February 9, 2015, Ms. McBride's license was indefinitely suspended due to findings of physical and mental illness.
5. On June 17, 2015, during a psychiatric follow-up for treatment of depressive disorder, anxiety and attention deficit hyperactivity disorder, it was recommended that Ms. McBride return in three weeks; however, she failed to continue treatment.
6. Ms. McBride reported that she has attempted to initiate mental health services with the Piedmont Community Services Board; however, she has not been successful in obtaining an appointment.
7. Ms. McBride has been diagnosed with degenerative disc disease, which limits her ability to practice as a nurse.
8. On the application for reinstatement dated July 9, 2015, Ms. McBride answered "no" to the question, "do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing," when, in fact, she has the above-referenced conditions.
9. On June 18, 2015, in the Roanoke City, Virginia, General District Court, Ms. McBride was convicted of petit larceny, a misdemeanor involving moral turpitude.
10. Ms. McBride was sentenced to 90 days in jail with 60 days suspended, and ordered to pay court costs totaling \$121.00.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 5 and 7 constitute a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.
3. Finding of Fact No. 9 constitutes a violation of § 54.1-3007(4) of the Code.
4. The Committee concludes that Tia K. McBride has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner, with certain restrictions.

ORDER

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


1. License No. 0002-077168 of Tia K. McBride to practice practical nursing is REINSTATED contingent upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to § 54.1-2515 *et seq.* of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. Ms. McBride shall be issued a license that is valid in Virginia only.
2. Thereafter, Ms. McBride shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Tia K. McBride and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. McBride shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. McBride is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against Ms. McBride involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. McBride has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. McBride's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. McBride's appearance before the Board and conduct an administrative review of this matter.
4. Ms. McBride 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.

5. This order shall be applicable to Ms. McBride's multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. McBride shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

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. McBride may, not later than 5:00 p.m., on **March 29, 2016**, 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:



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

ENTERED: February 25th, 2016

This Order shall become final on **March 29, 2016**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing