

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: PATSY ANN TRIPLETT, L.P.N.
License Number: 0002-073792
Expiration Date: October 31, 2016
Case Number: 172622

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Board of Nursing (“Board”) regarding your license to practice practical nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board.
DATE AND TIME:	August 24, 2017 at 2:00 p.m.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:

- If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice practical nursing in the Commonwealth;
- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Board's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Agency Subordinate may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Agency Subordinate will rely in making a decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be considered by the Agency Subordinate when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

Deadline for filing materials: **August 17, 2017**. Submit five copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **August 17, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **August 17, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Patsy Ann Triplett, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.

2. During the course of her employment with Maxim Healthcare, Roanoke, Virginia, while assigned to provide care for Patient A:

a. Ms. Triplett violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(e), effective February 24, 2017), in that on or about January 13, 2016, she documented providing care at 6:00a.m. and 8:00a.m.; however, by her own admission, the patient was not at home and had been transported to the hospital.

b. Ms. Triplett violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(e) and (f), effective February 24, 2017), in that between January 14, 2016 and January 16, 2016, Ms. Triplett neglected Patient A in that she spent long periods of time away from the patient in another room, took frequent breaks, and spent a considerable amount of time on her electronic tablet. Further, on or about January 15, 2016, Ms. Triplett documented that she repositioned the patient at 12:00 a.m., 2:00 a.m. and 4:00 a.m.; however, the surveillance video indicates that she failed to do so. She also documented administering pain medication at 2:00 a.m; however, the surveillance video indicates that she failed to do so.

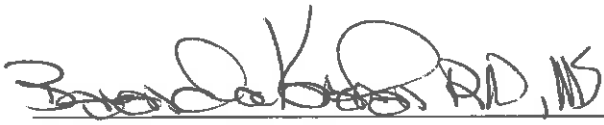
3. Ms. Triplett violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations (currently found at 18 VAC 90-19-230(A)(1)(b), effective February 24, 2017), in that:

a. On or about October 21, 2003, she indicated on her application for certification by examination as a nurse aide that she had never been convicted of a felony, when in fact, on April 3, 1985, in the Circuit Court for the County of Henry, Virginia, she was convicted of bigamy, a felony; and on August 18, 1992, in the Circuit Court for Franklin County, Virginia, she was convicted of two counts of felony embezzlement.

b. On or about May 8, 2006, she indicated on her application for licensure by examination as a practical nurse that she had never been convicted of a felony, when in fact, as stated above, she had felony convictions for bigamy and embezzlement.

4. Ms. Triplett violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(e), effective February 24, 2017), in that, on or about August 16, 2012, she failed to disclose her felony conviction for bigamy on her employment application with Maxim Healthcare.

See the Confidential Attachment for the name of the patient referenced above.



So Jodi P. Power, R.N., J.D.
Deputy Executive Director
Virginia Board of Nursing

June 29, 2017
Date