

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LILLIE B. HARRIS, L.P.N.
License Number: 0002-016811
Issue Date: April 28, 1972
Expiration Date: February 28, 2019
Case Number: 175118

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before 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 a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	August 7, 2017 9:00 A.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. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Committee 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 Committee will rely in making its 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 distributed to the members of the Committee and will be considered by the Committee 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: **July 28, 2017**. Submit 5 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 **July 28, 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 **July 28, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Lillie B. Harris, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.
2. Ms. Harris violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(f) effective February 24, 2016) ("Regulations") in that during the course of her employment with Heaven's Touch Nursing Services, L.L.C., Richmond, Virginia ("Heaven's Touch"), while caring for Client A, a six-month-old child born prematurely with a primary diagnosis of respiratory failure, she failed to follow the client's care plan and/or failed to properly document the client's medical record, as evidenced by the following:
 - a. She failed to follow Client A's care plan, which required him to be connected to a ventilator at all times, as evidenced by the following:
 - i. By her own admission, on at least one occasion, she unplugged Client A's ventilator for one and one-half hours.
 - ii. By her own admission, she failed to take vital signs after observing Client A's caregiver repeatedly remove him from his ventilator because the baby "seemed to be breathing o.k."
 - b. She failed to follow Client A's care plan, which required that she monitor his weight and dehydration level, by failing to weigh Client A. By her own admission, she checked for dehydration and weight loss by pulling Client A's skin.
 - c. On or about May 21, 2016, she failed to properly document Client A's medical record, as evidenced by the following:

i. She failed to document in Client A's pediatric visit log that Client A's caregiver removed him from the ventilator at 6:15 p.m. By her own admission, despite observing Client A's caregiver remove the child from the ventilator on multiple occasions, she failed to document the incidents.

ii. She reported to an investigator for the Department of Health Professions that she observed that the client's feeding pump, which was required to operate 20 hours per day, had been turned off, "as usual." However, Ms. Harris failed to document any of the incidents in the client's medical record.

iii. She failed to document in Client A's medical record that the milk in the feeding bag was curdled when she arrived at Client A's residence for her shift.

iv. She failed to document Client A's decreased urine output. She documented that Client A had one wet and one soiled diaper change during that day's 16-hour shift. By her own admission, she had changed more than one wet diaper for Client A during prior 16-hour shifts, and acknowledged to the investigator that the reduction was indication of a decreased output.

v. She failed to document that Client A's pulse oximeter and tracheal tube monitor, which were ordered to monitor continuously, were turned off or unplugged by Client A's caregiver.

vi. She failed to document the ordered twice per day application of Bacitracin to Client A's PEG tube site.


3. Ms. Harris 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, 2016) in that on or about May 22, 2016, she failed to return to Client A's home

for the remainder of her weekend shifts and falsely documented in Client A's May 21, 2016 progress note that she would return the next day.

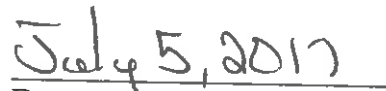
4. Ms. Harris violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(e) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(e) effective February 24, 2016), in that between on or about April 24, 2016 and May 21, 2016, she falsely documented in Client A's pediatric visit logs that the client was receiving adequate nutrition. However, by her own admission, she stated that she was "very concerned" that he was not receiving adequate nutrition.

5. Ms. Harris violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(o) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(o) effective February 24, 2016) in that, despite her observations that (1) Client A's caregiver disconnected his ventilator pulse oximeter and tracheal tube monitor on multiple occasions, (2) Client A was left unattended, (3) she found curdled milk in Client A's feeding bag and feeding tube on more than one occasion, and (4) her concerns that Client A was not receiving adequate nutrition because he was emaciated and dehydrated, she failed to report the conditions to Child Protective Services. Ms. Harris stated that it was not her place to report the incidents.

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



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



Date