

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TAMMY D GROSS, L.P.N.
License Number: 0002-026915
Case Number: 176411

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on October 2, 2017, in Henrico County, Virginia, to inquire into evidence that Tammy Gross, L.P.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Tammy D Gross, L.P.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated August 30, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Gross notifying her that an informal conference would be held on October 2, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Tammy D Gross, L.P.N., was issued License Number 0002-026915 to practice practical nursing on May 15, 1979, which is scheduled to expire on July 31, 2019. At all times relevant to the findings contained herein, said license was current and active. Her primary state of residence is Virginia.

2. During the course of her employment with Francis Marion Manor Health and Rehabilitation, Marion, Virginia, Ms. Gross 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, 2017), in that:

a. On September 14, 2016, Ms. Gross yelled at Resident A stating, “shut up; I told you once and I mean it,” or words to that effect.

b. On September 21, 2016, Ms. Gross failed to assist Resident B as he was sliding out of bed, spoke to him in a rude manner and told him that she hated him. Later during the shift, staff reported to Ms. Gross that Resident B was experiencing diarrhea and needed medical assistance; however, Ms. Gross failed to contact his physician or document the problem. Ms. Gross told staff that if the resident did not eat so much sugar free candy and soda, he would not have this problem.

3. At the informal conference, Ms. Gross denied speaking abusively to the residents. However, both incidents were witnessed by other staff members and/or residents.

4. Ms. Gross’s employment with Francis Marion Manner was terminated. She is currently employed at Carrington Place in Rural Retreat, Virginia.

ORDER

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


1. Tammy D Gross, L.P.N., is REPRIMANDED.
2. Within 90 days from the date of entry of this Order, Ms. Gross shall provide written proof satisfactory to the Board of successful completion of the following NCSBN course: *Righting a Wrong: Ethics and Professionalism in Nursing*.

3. Ms. Gross shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.

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



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

ENTERED AND MAILED:

October 25, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Gross may, not later than 5:00 p.m., on November 27, 2017, notify Jay P. Douglas, 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. This Order shall become final on November 27, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing