

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           BRITTNEY NICOLE ARMBRISTER MOORE, R.N.**  
**License Number: 0001-241913**  
**Case Number: 174051**

**RATIFICATION AND ORDER**

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Brittney Nicole Armbrister Moore, R.N., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing **ACCEPTS** the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and **ADOPTS** the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

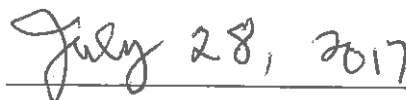
Since Ms. Moore failed to appear at the informal conference, this Order shall be considered final. Ms. Moore has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Moore has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

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:



**Certified True Copy**

By   
**Virginia Board of Nursing**

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### **REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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#### **Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on May 2, 2017 in Henrico County, Virginia, to inquire into evidence that Brittney Nicole Armbrister Moore, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Moore did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

#### **Notice**

By letter dated April 6, 2017, the Board sent a Notice of Informal Conference ("Notice") to Ms. Moore notifying her that an informal conference would be held on May 2, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was refused by the addressee and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Moore and the informal conference proceeded in her absence.

#### **Recommended Findings of Fact and Conclusions of Law**

1. Brittney Nicole Armbrister Moore, R.N., was issued License Number 0001-241913 to practice professional nursing on December 17, 2012, which is scheduled to expire on March 31, 2018.

At all times relevant to the findings herein, said licenses was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Moore violated Virginia Code § 54.1-3007(2), (5), and (6) and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(c) and (e) effective February 24, 2017) in that, during the course of her employment with LewisGale Pulaski Hospital, Pulaski, Virginia, between April 27, 2016 and May 13, 2016, by her own admission, she diverted narcotic medication tablets for her own personal, unauthorized use from the supplies of multiple patients. Ms. Moore accomplished this diversion by withdrawing the patients' medication from the Pyxis and taking the tablets home for her consumption. There were 13 instances where Ms. Moore withdrew medications for which there was no record of administration, return, or waste.

3. Ms. Moore diverted medications on each of the 13 days in which she worked at LewisGale Pulaski Hospital.

4. On June 30, 2016, Ms. Moore initially told the investigator for the Department of Health Professions that she had diverted the medications for her aunt who was in a nursing home, but then admitted that she had taken them for herself.

5. Ms. Moore stated that she had been using narcotics for about a year and obtained them mostly from family members.

6. Ms. Moore began her employment with LewisGale Pulaski Hospital in April of 2016. On May 24, 2016, she was allowed to resign in lieu of termination.

7. Ms. Moore was employed by Southwest Virginia Mental Health from November of 2013 until her resignation in April of 2015. She was employed by Twin Counties from October of 2015 until her resignation in January of 2016.

8. Ms. Moore indicated that she is not currently receiving mental health or substance abuse treatment.

9. Ms. Moore has not enrolled in the Health Practitioners' Monitoring Program ("HPMP"). She contacted the HPMP on July 6, 2016, and was sent a Participation Contract for her signature. The Participation Contract was due back to the HPMP by July 20, 2016, but, to date, has not been returned.

### **Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The license issued to Brittney Nicole Armbrister Moore, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Brittney Nicole Armbrister Moore, R.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Brittney Nicole Armbrister Moore, R.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Moore to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Moore 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.

Reviewed and approved on May 10, 2017  
By Judith E. Piersall, R.N., B.S.N.  
Agency Subordinate

**Certified True Copy**

By   
**Virginia Board of Nursing**