

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JESSICA MAYO, R.N.
License Number: 0001-159591
Case Number: 173720, 177040

RATIFICATION AND ORDER

On May 17, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Jessica Mayo, 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.

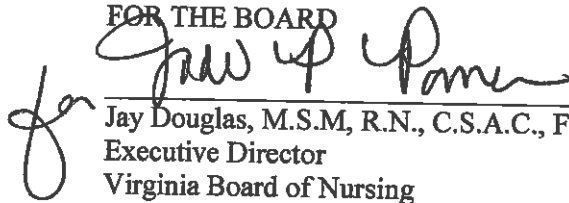
Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Mayo's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Mayo may, not later than 5:00 p.m., on July 5, 2017, notify Jay 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.

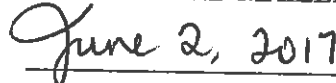
Certified True Copy

By 
Virginia Board Of Nursing

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:


June 2, 2017

This Order shall become final on July 5, 2017, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JESSICA MAYO, R.N.
License Number: 0001-159591
Case Number: 173720, 177040

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on April 5, 2017 in Henrico County, Virginia, to inquire into evidence that Jessica Mayo, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Mayo appeared 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 March 9, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Mayo notifying her that an informal conference would be held on April 5, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. By letter dated March 22, 2016, the Board sent an Amended Notice of Informal Conference to Ms. Mayo by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. Jessica Mayo, R.N., was issued License Number 0001-159591 to practice professional nursing on June 30, 1998, which is scheduled to expire on April 30, 2019. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. By Order entered July 16, 2013, Ms. Mayo was issued a reprimand based on findings that she had not properly documented medication administration while working as a faculty member with the Medical Careers Institute School of Health Science of ECPI University, Virginia Beach, Virginia.

3. Ms. Mayo violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing ("Regulations") (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 Old Dominion University School of Nursing, Norfolk, Virginia, while working on an assignment at Bon Secours DePaul Medical Center, Norfolk, Virginia, on February 18, 2016, she diverted approximately three tablets of Adderall (amphetamine, C-II), ten tablets of oxycodone (C-II), and ten tablets of hydrocodone (C-II) for her own personal and unauthorized use. Ms. Mayo accomplished this diversion by using another nurse's login credentials to falsely document conducting inventory on the medications and then withdrawing the medications.

4. As a result of this incident, Ms. Mayo's employer told her not to return to Bon Secours DePaul Medical Center.

5. Ms. Mayo violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to mental illness and/or substance abuse, as evidenced by the following:

a. Since October 2015, Ms. Mayo has received treatment for opiate dependence at Right Path Treatment Center, Virginia Beach, Virginia.

b. On May 26, 2016, Ms. Mayo received treatment at EVMS Behavioral Health Services, Norfolk, Virginia, for recurrent, major depression; substance-abuse mood disorder; polysubstance abuse; and borderline personality disorder with narcissistic features.

c. Between May 31, 2015 and May 31, 2016, Ms. Mayo filled 39 prescriptions for controlled substances from 8 different providers at 13 different pharmacies. The prescriptions included Suboxone (buprenorphine, C-III) and Zubsolv (buprenorphine/naloxone, C-III).

d. In June 2016, Ms. Mayo told an investigator for the Department of Health Professions that she had had trouble weaning off prescribed oxycodone and that she had abused cocaine in the past.

e. Ms. Mayo received inpatient addiction treatment at the Farley Center at Williamsburg Place, Williamsburg, Virginia, between December 22, 2016 and February 16, 2017. Her discharge diagnoses included other stimulant dependence, uncomplicated; opioid dependence, uncomplicated; cocaine dependence, uncomplicated, in remission; depressive disorder, unspecified; and anxiety disorder, unspecified.

6. Ms. Mayo violated Virginia Code § 54.1-3007(2) and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(c), effective February 24, 2017) in that between August 2016 and October 2016, Ms. Mayo forged and filled approximately eight prescriptions for Adderall using the name of her treating physician.

7. As a result of these incidents, Ms. Mayo was charged with one count of felony larceny and one count of felony obtaining prescription by fraud in the Circuit Court for the City of Chesapeake, Virginia and one count of felony prescription forgery in the Circuit Court for the City of Virginia Beach, Virginia. All three charges are pending.

8. Ms. Mayo violated Virginia Code § 54.1-3007(4), as evidenced by the following:

a. On June 26, 2015, in the General District Court for the City of Portsmouth, Virginia, Ms. Mayo was convicted of one count of petit larceny, a misdemeanor crime of moral turpitude.

b. On October 30, 2015, in the Circuit Court for the City of Chesapeake, Ms. Mayo was convicted of one count of petit larceny and two counts of obtaining money by false pretenses, all crimes of moral turpitude.

c. On March 11, 2016, in the General District Court for the City of Chesapeake, Ms. Mayo was convicted of one count of petit larceny.

9. Ms. Mayo enrolled in the HPMP and signed a Participation Contract on January 1, 2017. She signed a Recovery Monitoring Contract on February 27, 2017. According to an HPMP Compliance Report dated April 4, 2017, Ms. Mayo was in full compliance with her Recovery Monitoring Contract.

10. At the informal conference, Ms. Mayo was remorseful and insightful about her actions and her addiction history. Ms. Mayo stated that she would like to return to nursing practice, but that she wanted to put her recovery first.

11. Ms. Mayo stated that she attends 12-Step meetings almost every day, she has a sponsor, and she is working the Steps.

12. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Mayo's health records or health services.

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 of Jessica Mayo, R.N., to practice professional nursing is **SUSPENDED**.
2. The license will be recorded as suspended.

3. The suspension is STAYED and shall remain stayed contingent upon Ms. Mayo's continued compliance with all terms and conditions of the Virginia Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP.

4. Ms. Mayo shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

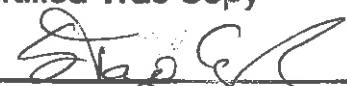
5. Upon receipt of evidence of Ms. Mayo's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Mayo's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

6. This Order is applicable to Ms. Mayo's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Mayo shall not work outside of 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 seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

7. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Jessica Mayo, R.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Mayo may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Board.

Reviewed and approved on April 19, 2017
By Judith Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing