

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: PAULA JOHNSON, L.P.N.
License No.: 0002-085634**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on March 26, 2015, in Henrico County, Virginia, to inquire into evidence that Paula Johnson, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Johnson was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Paula Johnson, L.P.N., was issued License No. 0002-085634 to practice practical nursing in the Commonwealth of Virginia on September 2, 2011. Said license expires on July 31, 2015. Ms. Johnson's primary state of residence is Virginia.
2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. Between May 13, 2014, and June 10, 2014, during the course of her employment with Pheasant Ridge Nursing and Rehabilitation ("Pheasant Ridge"), Roanoke, Virginia, Ms. Johnson removed two vials each of injectable diazepam (C-IV), morphine (C-II) and Demerol (meperidine, C-II) for her own

personal and unauthorized use.

4. On June 10, 2014, upon recognition that there were missing medications, Pheasant Ridge had all of the nurses who had access to the medications undergo a urine drug screen. This for-cause urine drug screen was administered to Ms. Johnson, which was positive for amphetamines, oxycodone, morphine, and oxymorphone.

5. Ms. Johnson was the only nurse at Pheasant Ridge to have a positive result in the urine drug screen referenced in Finding No. 4.

6. On May 24, 2013, Ms. Johnson was diagnosed with opiate addiction by her physician at the Doctor's Office, Roanoke, Virginia, and prescribed Subutex (C-III) for the opiate addiction and chronic pain.

7. Ms. Johnson had an appointment with Dr. Cummings at Southwest Medical Center on May 1, 2014. Dr. Cummings ordered a urine drug screen, which was positive for hydrocodone 350 ng/ml (C- II), hydromorphone 143 ng/ml (C-II), morphine 72 ng/ml, oxycodone 1816 ng/ml (C-II), oxymorphone 1203 ng/ml (C-II), noroxycodone 2095 ng/ml and norhydrocodone 726 ng/ml, all registering significantly above the testing cutoff range of 50 ng/ml. After her request for narcotics was denied, on May 2, 2014, Ms. Johnson called the Center and became verbally abusive and threatening to the Center's staff. Dr. Cummings testified that he dismissed Ms. Johnson from his practice during the phone call.

8. On June 13, 2014, during her initial visit at the Center of Emotional Care, Ms. Johnson admitted using stimulants, opiates and benzodiazepines. Further, she was diagnosed with major depression and anxiety. A urine drug screen collected during that visit was positive for amphetamines, benzodiazepines, and opiates.

9. In an attempt to explain the positive drug screens referenced in Findings Nos. 4 and 7, Ms. Johnson told the Department of Health Professions' investigator that she "hoards" her prescribed medications because she has a chronic pain condition. The investigator testified that Ms. Johnson told him that some of the positive screens were a result of self-medication with these hoarded medications.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
2. Findings of Fact Nos. 4, 6, 7 and 8 constitute a violation of § 54.1-3007(5) and (6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0002-085634 issued to Paula Johnson to practice practical nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.
2. The license of Ms. Johnson will be recorded as SUSPENDED. Should Ms. Johnson seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
3. At such time as Ms. Johnson shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.
4. This Order shall be applicable to Ms. Johnson's multistate licensure privileges, if any, to practice practical nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD

Jay P. Douglas

for Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

April 7, 2015

ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy
By *draham*

Virginia Board Of Nursing