

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TIA MICHELLE BRIGGS, L.P.N. REINSTATEMENT APPLICANT
License Number: 0002-059109
Case Number: 173226

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 February 6, 2017, in Henrico County, Virginia, to receive and act upon Tia Michelle Briggs’ application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia.

Tia Michelle Briggs, L.P.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated January 11, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Briggs notifying her that an informal conference would be held on February 6, 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. Tia Michelle Briggs, L.P.N., was issued License Number 0002-059109 to practice practical nursing on September 17, 1999, which was suspended on December 3, 2014. Her primary state of residence is Virginia.

2. By Order of the Board dated December 3, 2014, Ms. Briggs' license to practice practical nursing was indefinitely suspended following incidents, during the course of her employment with Maxim Health Care, in which Ms. Briggs, on two occasions, falsely documented that she had provided care to an infant.

3. Ms. Briggs violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to substance abuse, as evidenced by the following:

a. On April 28, 2016, Ms. Briggs' primary care physician at Anwaral Islam Practice, Chesapeake, Virginia said that Ms. Briggs has a pattern of taking Xanax (alprazolam, C-IV) and pain medication, and that the last time she called and requested Xanax he refused to prescribe it.

b. On April 29, 2016, Ms. Briggs requested additional pain medication from Dr. Mohib Ghobrial I, M.D., F.A.C.S., whom she had seen for an injury to her arm. She indicated that her pain medications had been stolen from her hotel room. In June 2016, Ms. Briggs' insurance company, Anthem HealthKeepers Plus, Mason, Ohio, sent this doctor a letter advising the practice that Ms. Briggs may be obtaining too many pain medications.

c. On August 12, 2015, Ms. Briggs' emergency room doctor with Sentara Norfolk General Hospital, Norfolk, Virginia, indicated there was concern with regard to Ms. Briggs' use of narcotics. There was a concern about administering pain medications because Ms. Briggs had tampered with the sharps container during a prior admission. On August 12, 2015, Ms. Briggs' friend closed the door to Ms. Briggs' hospital room. When the technician re-entered the room, Ms. Briggs' friend was near the sharps container. The sharps container was then removed from the room. When Ms. Briggs observed that the sharps container was being removed she began shouting profanities at the staff.

d. On September 11, 2014, Ms. Briggs' emergency room doctor with Sentara Leigh Hospital, Norfolk, Virginia, indicated that her claims of pain may be attributed to drug seeking behavior.

4. Ms. Briggs violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing ("Regulations") in that she falsely represented facts on her Application for Reinstatement, dated February 26, 2016, in that she stated her reason for leaving her employment with Leigh Hall Assisted Living, Norfolk, Virginia was due to having surgery, when, in fact, her employment had been terminated because she had been observed on videotape sleeping in the memory care model room with her boyfriend.

5. During the informal conference, Ms. Briggs stated that the prior incident involving the sharps container in Finding of Fact Number (3)(c) occurred at Sentara Princess Anne Hospital. Ms. Briggs indicated she was not the person who tampered with the sharps container on either occasion. It was a man she was dating. Ms. Briggs said that she was upset that he was being kicked out of the room, but that she did not yell profanities at the hospital staff.

6. With regard to Finding of Fact Number (3)(d), Ms. Briggs stated that her pain is caused by her colitis. She said she knows her body and as soon as she realizes she is having an episode she goes into the hospital. However, the scans are sometimes negative. She suspects this is why she was suspected of drug seeking behavior.

7. With regard to Finding of Fact Number 4, Ms. Briggs indicated that she was homeless and had no other place to go. In a similar situation in the future, she stated that she would be up front about her situation with her manager and would seek help.

8. Since July of 2017 Ms. Briggs has been a waitress at Olive Garden.

9. Ms. Briggs stated she has never had a substance abuse problem.

10. Ms. Briggs stated that she has learned from her mistakes. She has been on Xanax for quite some time, but is not currently taking it. She says she now deals with stress by praying, spending time with her son, and exercising. Ms. Briggs said that her father, who is a pastor, is a good support person for her. She said her son is her motivation, and she wants to prove herself to him.

11. Ms. Briggs indicated she is willing to do whatever she needs to do to get her license back. She said she is now more conscious of her decisions. She is also no longer in an abusive relationship.

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

ORDER

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


1. The application of Tia Michelle Briggs, L.P.N., for reinstatement of her license to practice practical nursing is APPROVED contingent upon the following terms and conditions:
 - a. Ms. Briggs shall enter into the Health Practitioners' Monitoring Program ("HPMP"). Thereafter, Ms. Briggs shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.
2. Prior to practicing as a licensed practical nurse, Tia Michelle Briggs, L.P.N., shall provide written proof satisfactory to the Board of successful completion of a nursing refresher course.
3. Tia Michelle Briggs, L.P.N., shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

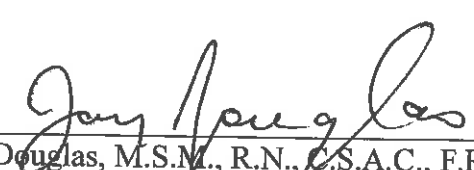
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of practical nursing shall constitute grounds for further disciplinary action.

5. This Order is applicable to Ms. Briggs' multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Briggs 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.

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

Certified True Copy
By 
Virginia Board of Nursing


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

ENTERED AND MAILED: February 24th, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Briggs may, not later than 5:00 p.m., on March 29, 2017, notify Jay Douglas, MSM, RN, CSAC, FRE, 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 March 29, 2017, unless a request for a formal administrative hearing is received as described above.