

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ROSALYNN DIANE PETRIE BOYCE, R.N.
License Number: 0001-216783
Issue Date: January 9, 2009
Expiration Date: May 31, 2017
Case Number: 173601

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	December 5, 2016 9:00 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

ABSENCE OF RESPONDENT AND RESPONDENT’S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT’S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. Deadline for filing materials: November 28, 2016. Submit 5 copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Melvina Baylor at the above address: November 28, 2016. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **November 28, 2016**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **November 28, 2016**.

STATEMENT OF ALLEGATIONS

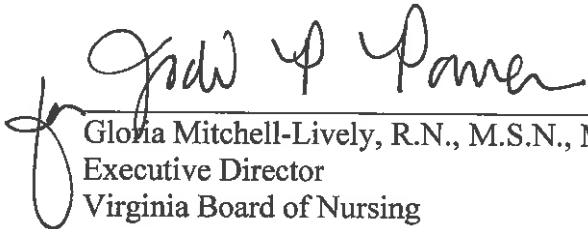
The Board alleges that:

1. At all times relevant hereto, Rosalynn Diane Petrie Boyce, R.N., was licensed to practice professional nursing in the Commonwealth of Virginia.
2. During the course of her employment in the Intensive Care Unit (“ICU”) with Sentara Leigh Hospital, Norfolk, Virginia:
 - a. Ms. Boyce violated § 54.1-3007(5) and (6) in that on or about May 4 and 5, 2016, she was observed with droopy eyes, slow reaction times, delayed speech, and acting “not like herself” while at work. When confronted with a reasonable cause urine drug screen on or about May 5, 2016, Ms. Boyce tampered with the sample and then refused because she stated that she would test positive for opiates and marijuana, which she admitted smoking.
 - b. Ms. Boyce violated § 54.1-3007(2), (5), and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (“Regulations”) in that on or about May 5, 2016 at approximately 7:30 a.m., Ms. Boyce withdrew Dilaudid 2mg (hydromorphone, C-II) for Patient A, who was not in her care. Ms. Boyce failed to document any return, administration, or waste of the medication.
 - c. Ms. Boyce violated § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that on or about May 4, 2016, she failed to perform patient assessments for Patient B, who suffered from a bowel obstruction, including a head to toe assessment, assessment of Patient B’s Foley catheter, or GI assessment. Further, Ms. Boyce withheld prescribed heparin from Patient B without documenting a reason and hung a new bag of cardene for Patient B while Patient B still had a bag of cardene hanging.

d. Ms. Boyce violated § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations in that on or about May 4, 2016, on two occasions, at approximately 8:25 a.m. and 8:49 a.m., she withdrew 10mg famotidine for Patient C, who was prescribed one injection of 10mg daily, but she only documented administration of 10mg once at approximately 8:50 a.m. She failed to document administration, waste, or return of the remaining 10mg.

e. Ms. Boyce violated § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that on or about May 5, 2016, she failed to respond to the call light of an ICU patient for approximately 30 minutes.

See Confidential Attachment I for the names of the patients referenced above.



Gloria Mitchell-Lively, R.N., M.S.N., M.B.A.
Executive Director
Virginia Board of Nursing

November 9, 2016
Date