

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TONI RENEE HALL, L.P.N.
LicenseNumber: 0002-087763
Case Number: 163841, 172592

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on January 23, 2017, in Henrico County, Virginia, to inquire into evidence that Toni Renee Hall, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Toni Renee Hall, L.P.N., appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated January 5, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Hall notifying her that a formal administrative hearing would be held on January 23, 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 Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On September 5, 2012, the Board issued License Number 0002-087763 to Toni Renee Hall, L.P.N. to practice practical nursing in the Commonwealth of Virginia. Said license is scheduled to expire on July 31, 2017. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.

2. During the course of her employment with Ashland Nursing and Rehabilitation Center, Ashland, Virginia, Ms. Hall diverted narcotic medication for her personal and unauthorized use, which she accomplished as follows: On May 27, 2015, at 4:15 a.m. and 8:15 a.m., Ms. Hall documented on the controlled medication utilization records that she had withdrawn and administered oxycodone 5mg (C-II) to two residents, Residents A and B, respectively. On May 28, 2015, at 3:00 a.m., she documented on the controlled medication utilization records that she had withdrawn and administered oxycodone for Resident A. Resident A denied receiving the medication that Ms. Hall had withdrawn for her on either May 27 or May 28. Resident B also denied receiving the medication on May 27 and stated that he was not in the building at the time that Ms. Hall documented the withdrawal and administration of the medication for him.

3. Ms. Hall's employment with Ashland Nursing and Rehabilitation Center was terminated on June 15, 2015.

4. During the course of her employment with Medicus Staffing, while placed at the Virginia League of Planned Parenthood ("VLPP"), Ms. Hall stole Planned Parenthood prescription forms and wrote at least six fraudulent prescriptions without authorization, including the following prescriptions:

- a. One February 29, 2016, prescription written for herself for 60 tablets of methadone
- b. Three March 3, 2016, prescriptions for Individual A, an acquaintance of Ms. Hall, one for 60 tablets of methadone and two for 60 tablets of oxycodone.
- c. Two March 10, 2016, prescriptions for Individual B, an acquaintance of Ms. Hall, one for 60 tablets of methadone and one for 60 tablets of oxycodone.

5. During the course of the Department of Health Professions investigation, Ms. Hall admitted to the investigator to stealing seven prescription forms from VLPP and writing prescriptions for herself and for two friends. She stated she needed money and intended to sell the tablets that the three women collected via the fraudulent prescriptions.

6. Ms. Hall's employment placement with Planned Parenthood was terminated.

7. Ms. Hall's criminal history includes an August 8, 2012, conviction in the General District Court of Henrico County, Virginia, for shoplifting, a misdemeanor involving moral turpitude.

8. Ms. Hall admitted to a history of substance abuse, including an addiction to Oxycodone pills. Ms. Hall testified that she began abusing Oxycodone when she was 18, including while she was in nursing school. She stated that because of her use, the time period covered in the statement of allegations is a blur, and that she was under the influence of pills even when she was interviewed by the investigator, and therefore cannot remember their conversation.

9. Ms. Hall testified that she last used pills June 30, 2016, and therefore her sobriety date was July 1, 2016. She told the Board that she went through a three-day treatment starting on July 11, 2016. Ms. Hall continued to say that she needs to be in some sort of treatment, as she is tempted to use pills now because she used for so long. She currently is not receiving any treatment. When asked, she told the Board she was unsure if she was an addict, then concluded that mentally she is an addict, but not physically. Ms. Hall told the Board that she would be willing to enter the Health Practitioners' Monitoring Program.

10. Ms. Hall testified that her support system is her family, specifically her mother, and that she enjoys spending time with her children. Ms. Hall stated that she is not currently employed. She told the Board that she is not healthy enough to practice nursing at this point in her life, and that she needs help.

CONCLUSIONS OF LAW

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

ORDER

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

1. The license of Toni Renee Hall, L.P.N., to practice practical nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice practical nursing.
4. Should Toni Renee Hall, L.P.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. Hall to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Hall 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.
5. The suspension shall be STAYED upon proof of Ms. Hall’s entry into a Contract with the Virginia Health Practitioners’ Monitoring Program (“HPMP”).
6. Upon stay of the suspension, Toni Renee Hall, L.P.N., shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

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

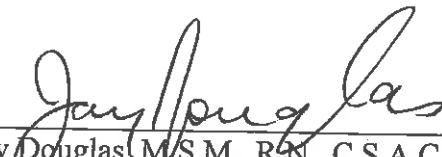
8. This Order is applicable to Ms. Hall's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Hall shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia 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.

9. Toni Renee Hall, L.P.N., shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

10. Failure to comply with the terms and conditions of the stay of suspension or any statute or regulation governing the practice of practical nursing shall result in the immediate rescission of the stay of suspension of the license of Toni Renee Hall, L.P.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Hall may, within 33 days of the effective date of the rescission, request a formal administrative hearing before 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




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

ENTERED AND MAILED ON:

February 17th, 2017

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, 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. 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 

Virginia Board Of Nursing