

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **DEBORAH LYNN GRIFFITH, R.N.**
License Number: 0001-197145
Case Number: 139233, 174896

RATIFICATION AND ORDER


On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Deborah Lynn Griffith, 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.

Since Ms. Griffith failed to appear at the informal conference, this Order shall be considered final. Ms. Griffith has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Griffith has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD



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

Certified True Copy

By 

Virginia Board of Nursing

ENTERED AND MAILED ON:

February 1, 2017

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IN RE: DEBORAH LYNN GRIFFITH, R.N.
License Number: 0001-197145
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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 December 1, 2016 in Henrico County, Virginia, to inquire into evidence that Deborah Lynn Griffith, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Griffith did not appear 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 November 2, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Griffith notifying her that an informal conference would be held on December 1, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. Neither the Notice sent via certified mail nor the receipt for the certified mail was returned to the Board office. The Notice sent via first-class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Griffith and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Deborah Lynn Griffith, R.N., was issued License Number 0001-197145 to practice professional nursing on July 18, 2005, which is scheduled to expire on January 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. On May 22, 2015, the Board of Nursing entered a Consent Order with Ms. Griffith, reprimanding her for failing to make scheduled nurse supervisory visits and falsifying paperwork, including forging patient signatures, to indicate she made four visits between December 2013 and March 2014.
3. During the course of her employment with Hospice Partners of America, d/b/a Hospice of Virginia:
 - a. Ms. Griffith violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (“Regulations”) in that while assigned to provide home health care during the period of July 1-4, 2016:
 - i. Ms. Griffith failed to make scheduled and unscheduled visits and failed to answer or respond to calls, resulting in delay of care to approximately three patients, including scheduled wound care.
 - ii. Ms. Griffith failed to respond to a referral by an emergency room physician regarding a patient in his home needing pain control.
 - b. Ms. Griffith violated Virginia Code § 54.1-3007(2), (5), (6), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that on July 2, 2016, she was observed to be slurring her speech and unsteady on her feet while providing wound care to a patient.

c. Ms. Griffith violated Virginia Code § 54.1-3007(5) in that on July 2, 2016, she brought her child to a home health care visit.

4. Ms. Griffith violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice due to substance abuse and/or mental and/or physical illness, in that her physician stated in an interview with the investigator for the Department of Health Professions that Ms. Griffith is not safe to practice due to the amount of prescription medication she takes.

5. A review of Ms. Griffith's Prescription Monitoring Report from July 27, 2014, through July 27, 2016, reflected that her Morphine Equivalent Daily Dose was 240. The Centers for Disease Control and Prevention reports that a Morphine Equivalent Daily Dose score of 100 or more represents a significant increase in overdose risk for a patient.

6. Ms. Griffith violated Virginia Code § 54.1-3007(4) in that on February 27, 2012, she was convicted in the General District Court of Chesterfield County, Virginia, of larceny, a misdemeanor involving moral turpitude.

7. Ms. Griffith violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing in that during the course of her employment with Amedisys, she falsely documented making a home visit to a client on December 23, 2010, when that client was hospitalized from December 22, 2010, through January 3, 2011.

8. Ms. Griffith was issued License Number 0131-000586 to practice as an occupational therapy assistant by the Board of Medicine on August 18, 2009. On May 4, 2011, the Board of Medicine entered an Order reprimanding Ms. Griffith and ordering her to enter the Health Practitioners' Monitoring Program ("HPMP") within 30 days of the entry of the Order. Said order was based on findings that Ms. Griffith had altered prescriptions, had obtained large quantities of narcotics via prescriptions, and had been diagnosed with an opiate dependence.

9. On October 4, 2011, the Board of Medicine summarily suspended Ms. Griffith's O.T.A. license and on November 2, 2011, the Board of Medicine continued her on indefinite suspension for not less than 12 months after making findings that she had failed to enter HPMP and had continued to use narcotics.

10. Ms. Griffith failed to respond to multiple attempts by the investigator of the Department of Health Professions to contact her during the investigation.

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 Deborah Lynn Griffith, R.N., to practice professional nursing in the Commonwealth of Virginia is REVOKED.
2. The license of Deborah Lynn Griffith, R.N., will be recorded as REVOKED.
3. This revocation applies to any multistate privilege to practice professional nursing.
4. Pursuant to Virginia Code § 54.1-2408.2, should Ms. Griffith seek reinstatement of her license after three years, the reinstatement of Ms. Griffith's license shall require the affirmative vote of three-fourths of the members at a formal administrative proceeding convened by the Board. At such time, the burden shall be on Ms. Griffith to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Griffith 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.

Reviewed and approved on January 8, 2017
By Judith Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing