

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TAMMY STREET HALL, R.N.
License Number: 0001-134391
Case Number: 182360

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Tammy Street Hall, R.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Hall's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Tammy Street Hall, R.N., was issued License Number 0001-134391 to practice professional nursing on September 15, 1993, which is scheduled to expire on December 31, 2017. Ms. Hall was also issued License Number 588660 to practice as a registered nurse in the State of California on October 9, 2001, which expired on January 31, 2007. Her primary state of residence is Virginia.
2. By Consent Order entered January 31, 2017, the Board reprimanded Ms. Hall based on a finding that she had falsified certain jail detainees' records.
3. By Default Decision and Order entered July 17, 2017, effective August 16, 2017, the California Board of Registered Nursing revoked Ms. Hall's expired license to practice registered nursing in the State of California. This action was based solely on the facts set forth in the Consent Order of the Virginia Board entered January 31, 2017.
4. On September 19, 2017, the Virginia Department of Health Professions suspended Ms. Hall's license to practice professional nursing in Virginia pursuant to Virginia Code § 54.1-2409, based on the action of the California Board of Registered Nursing.

5. The reinstatement of Ms. Hall's license to practice professional nursing in the Commonwealth of Virginia is properly before the Board.

CONSENT

Tammy Street Hall, R.N., by affixing her signature to this Consent Order, agrees to the following:

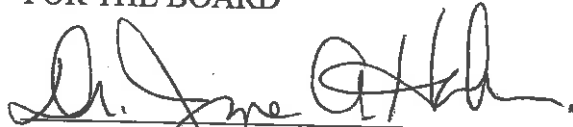
1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive my right to a formal hearing;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the license of Tammy Street Hall, R.N., to practice professional nursing in Virginia is REINSTATED without restriction.

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

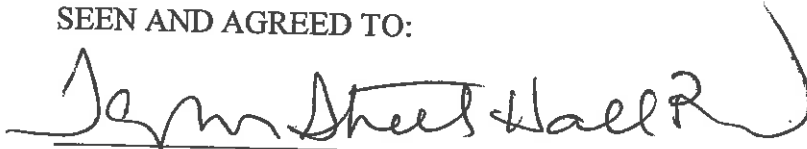


Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: _____

9/19/17

SEEN AND AGREED TO:



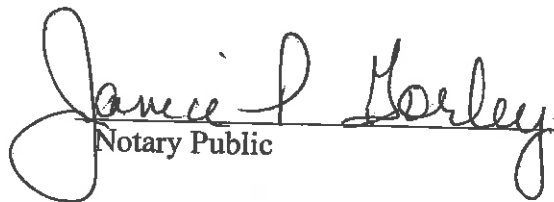
Tammy Street Hall, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Bristol



WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 15 day of Sept


Notary Public 7069841

My commission expires:

9-30-18

Registration No.:

7069841

Certified True Copy

By dpraham
Virginia Board Of Nursing

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TAMMY STREET HALL, R.N.
License Number: 0001-134391
Case Number: 182360

ORDER OF MANDATORY SUSPENSION

In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the California Board of Registered Nursing revoked the license of Tammy Street Hall, R.N., to practice as a registered nurse in the State of California. A certified copy of the Default Decision and Order of the California Board of Registered Nursing is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Ms. Hall to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Ms. Hall will be recorded as suspended and no longer current and valid. Should Tammy Street Hall, R.N., seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Hall's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

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 or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

Certified True Copy

By 

Virginia Board Of Nursing

ENTERED:

9/19/17

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Default Decision and Order entered July 17, 2017, regarding Tammy Street Hall, R.N., is a true copy of the records received from the California Board of Registered Nursing.



David E. Brown, D.C.

9/19/17

Date

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING

Joseph L. Morris
Joseph L. Morris, PhD, MSN, RN
Executive Officer



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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:
TAMMY MICHELLE HALL
219 McGlothlin St.
Cedar Bluff, VA 24609
Registered Nurse License No. 588660
RESPONDENT

Case No. 2017-799
DEFAULT DECISION AND ORDER
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 20, 2017, Complainant Joseph L. Morris, PhD, MSN, RN, in his official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2017-799 against Tammy Michelle Hall (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about October 9, 2001, the Board of Registered Nursing (Board) issued Registered Nurse License No. 588660 to Respondent. The Registered Nurse License expired on January 31, 2007, and has not been renewed.

3. On or about April 20, 2017, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2017-799, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's

1 address of record which, pursuant to Business and Professions Code section 136 and Title 16,
2 California Code of Regulation, section 1409.1, is required to be reported and maintained with the
3 Board, was and is:

4 219 McGlothlin St.

5 Cedar Bluff, VA 24609.

6 4. On or about April 20, 2017, Respondent was also served by Certified and First Class
7 Mail copies of the Accusation No. 2017-799, Statement to Respondent, Notice of Defense,
8 Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to
9 Respondent's alternate address retrieved from LexisNexis as follows:

10 184 Reedy St

11 Bristol, VA 24201-3127.

12 5. Service of the Accusation was effective as a matter of law under the provisions of
13 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
14 124.

15 6. On or about May 1, 2017 and May 4, 2017, the First Class and Certified Mail
16 documents sent through the U.S. Postal Service to Respondent's address of record were returned
17 bearing the indicia "Return to Sender, Not Deliverable as Addressed."

18 7. On or about May 31, 2017, the Certified Mail documents sent through the U.S. Postal
19 Service to 184 Reedy St, Bristol, VA 24201-3127 were returned bearing the indicia "Return to
20 Sender, Unclaimed, Unable to Forward."

21 8. Business and Professions Code section 2764 states:

22 The lapsing or suspension of a license by operation of law or by order or decision of
23 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
24 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
25 against such license, or to render a decision suspending or revoking such license.

26 9. Government Code section 11506 states, in pertinent part:

27 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
28 notice of defense, and the notice shall be deemed a specific denial of all parts of the Accusation

1 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
2 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

3 10. Respondent failed to file a Notice of Defense within 15 days after service of the
4 Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation No.
5 2017-799.

6 11. California Government Code section 11520 states, in pertinent part:

7 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
8 agency may take action based upon the respondent's express admissions or upon other evidence
9 and affidavits may be used as evidence without any notice to respondent.

10 12. Pursuant to its authority under Government Code section 11520, the Board, after
11 having reviewed the proofs of service dated April 20, 2017, signed by Natalya Yakuta, and the
12 returned envelopes, finds Respondent is in default. The Board will take action without further
13 hearing and, based on Accusation No. 2017-799 and the documents contained in Default Decision
14 Investigatory Evidence Packet in this matter which includes:

15 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 2017-
16 799, Statement to Respondent, Notice of Defense (two blank copies),
17 Request for Discovery and Discovery Statutes (Government Code sections
18 11507.5, 11507.6 and 11507.7), proofs of service and copy of returned
19 mail envelopes;

20 Exhibit 2: License History Certification for Tammy Michelle Hall, Registered Nurse
21 License No. 588660;

22 Exhibit 3: Out of State Discipline (Virginia Board of Nursing);

23 Exhibit 4: List of possible addresses retrieved from LexisNexis.

24 The Board finds that the charges and allegations in Accusation No. 2017-799 are separately and
25 severally true and correct by clear and convincing evidence.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 588660, heretofore issued to Respondent Tammy Michelle Hall, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on August 16, 2017.

It is so ORDERED July 17, 2017.

Trande Phillips RN

Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2017-799

Exhibit A

Accusation No. 2017-799

1 XAVIER BECERRA
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 ALAN MACINA
Deputy Attorney General
4 State Bar No. 233540
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9083
7 Facsimile: (619) 645-2061
Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. *2017-799*

12 **TAMMY MICHELLE HALL**
13 **219 McGlothlin St.**
Cedar Bluff, VA 24609

ACCUSATION

14 **Registered Nurse License No. 588660**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Joseph L. Morris, PhD, MSN, RN (Complainant) brings this Accusation solely in
20 his official capacity as the Executive Officer of the Board of Registered Nursing (Board),
21 Department of Consumer Affairs.

22 2. On October 9, 2001, the Board issued Registered Nurse License Number 588660
23 to Tammy Michelle Hall (Respondent). Respondent has also been known as Tammy Street Hall.
24 The Registered Nurse License expired on January 31, 2007, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board under the authority of the following
27 laws. All section references are to the Business and Professions Code (Code) unless otherwise
28 indicated.

1 9. On January 31, 2017, in Case Numbers: 172763, entitled, *In Re: Tammy Street*
2 *Hall, R.N., License Number: 0001-134391*, the Virginia Board entered a Consent Order
3 reprimanding Respondent. Respondent was ordered to comply with all laws and regulations
4 governing the practice of professional nursing in the Commonwealth of Virginia. Under Code of
5 Virginia (CV) sections 2.2-4023¹ (final orders) and 54.1-2400.2 (confidentiality of information
6 obtained during an investigation or disciplinary proceeding, penalty), the Consent Order
7 remained a public record in the custody of the Department of Health Professions.

8 10. The facts that led to the discipline are that while employed practicing professional
9 nursing with Appalachian Regional Detention Center in Honaker, Virginia, on February 4, 2016,
10 Respondent falsified the dates on several detainees' "refusal forms" to make it appear that they
11 had refused to have their blood drawn at the time of their admission to the facility. In reality,
12 Respondent failed to obtain detainees' blood for testing within the required time period.
13 Respondent's conduct violated of CV section 54.1-3007², subdivisions (2) and (5), as defined in
14 title 18 of the Virginia Administrative Code section 90-20-300 (A)(2), subdivision (e)³. On

15
16 ¹ The terms of any final agency case decision, as signed by it, shall be served upon the
17 named parties by mail unless service otherwise made is duly acknowledged by them in writing.
18 The signed originals shall remain in the custody of the agency as public records subject to
19 judicial notice by all courts and agencies; and they, or facsimiles thereof, together with the full
20 record or file in every case shall be made available for public inspection or copying except (i) so
21 far as the agency may withhold the same in whole or part for the purpose of protecting
22 individuals mentioned from personal embarrassment, obloquy, or disclosures of a private nature
23 including statements respecting the physical, mental, moral, or financial condition of such
24 individuals or (ii) for trade secrets or, so far as protected by other laws, other commercial or
25 industrial information imparted in confidence.

26 ² The Board may . . . revoke any license, certificate, registration, or multistate licensure
27 privilege, or censure or reprimand any licensee, certificate holder, registrant, or multistate
28 licensure privilege holder, or place him on probation for such time as it may designate for any of
the following causes:

24 . . .
2. Unprofessional conduct;

25 . . .
26 5. Practicing in a manner contrary to the standards of ethics or in such a manner as to
27 make his practice a danger to the health and welfare of patients or to the public;

28 . . .
³ A. The board has the authority to . . . revoke or suspend a license or multistate licensure
privilege issued, or to otherwise discipline a licensee or holder of a multistate licensure privilege
(continued...)

1 February 17, 2016, Respondent was terminated from her employment with Appalachian
2 Regional Detention Center. On January 19, 2017, to avoid further disciplinary action in the
3 matter, Respondent executed a certification admitting to a Findings of Fact and Conclusions of
4 Law, and consenting to the entry of an Order, with terms and conditions stipulated.

5 **PRAYER**


6 WHEREFORE, Complainant requests that a hearing be held on the matters herein
7 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

8 1. Revoking or suspending Registered Nurse License Number 588660, issued to
9 Tammy Michelle Hall;

10 2. Ordering Tammy Michelle Hall to pay the Board of Registered Nursing the
11 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
12 Professions Code section 125.3; and,

13 3. Taking such other and further action as deemed necessary and proper.

14
15
16 DATED: April 20, 2017


17 JOSEPH L. MORRIS, PhD, MSN, RN
18 Executive Officer
19 Board of Registered Nursing
20 Department of Consumer Affairs
21 State of California
22 Complainant

23 JML:JRL
24 SD2017704477
25 81638296.doc

26 (...continued)
27 upon proof that the licensee or holder of a multistate licensure privilege has violated any of the
28 provisions of § 54.1-3007 of the Code of Virginia. For the purpose of establishing allegations to
be included in the notice of hearing, the board has adopted the following definitions:

2. Unprofessional conduct means, but shall not be limited to:

e. Falsifying or otherwise altering patient, employer, student, or educational
program records, including falsely representing facts on a job application or other employment-
related documents;