

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TINA ANN LONG, L.P.N.
a/k/a Tina Ann McClung Plum
License Number: 0002-075929
Case Number: 175115

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Tina Ann Long, L.P.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Long's license to practice practical nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Board held an informal conference on December 6, 2016, in Henrico County, Virginia. Ms. Long appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated November 10, 2016, the Board sent a Notice of Informal Conference ("Notice") to Ms. Long notifying her that an informal conference would be held on December 6, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board at the time of the mailing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Tina Ann Long, L.P.N. was issued License Number 0002-075929 to practice practical nursing on June 8, 2007, which is scheduled to expire on August 31, 2017. Her primary state of residence is Virginia.

2. By Consent Order of the Board entered on April 29, 2014, Ms. Long was reprimanded following an incident where she directed a certified nurse aide, who was neither qualified nor authorized, to administer a tablet of oxycodone (C-II) to a facility resident.

3. Ms. Long violated Virginia Code § 54.1-3007(2), (5), (6) and (8) and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing ("Regulations") in that during the course of her employment with the Augusta Nursing and Rehab Center ("ANRC"), Fishersville, Virginia, she diverted oxycodone (C-II) for her own personal and unauthorized use, as evidenced by the following:

a. On July 17, 2016, Ms. Long documented administering one tablet of oxycodone (C-II) 5mg to Patient A at 2100. The tablet of oxycodone 5mg was removed from the medication cart, but was not documented on the medication administration record ("MAR"). A drug reconciliation count revealed that there were 88 tablets remaining, as opposed to the 89 tablets which had been documented. Patient A stated that she could not remember receiving oxycodone from Ms. Long. Patient A also stated that she was always in pain, but that it was worse when Ms. Long was her nurse.

b. Ms. Long documented that she administered one oxycodone 5mg tablet to Patient B at 2030 and 2350 on July 15, 2016, and at 0450 on July 16, 2016. Ms. Long did not document the administrations in the MAR. Patient B reported receiving only one dose at 2350.

4. Ms. Long violated Virginia Code § 54.1-3007(5) and (6) in that during the course of her employment with ANRC, during her July 16/17, 2016, night shift, she was impaired while on duty, as evidenced by the following:

a. Ms. Long was observed having slurred speech, food drooling from her mouth, dropping her head to her chest as though she was falling asleep, swaying even while seated, and frequently dropping medications.

b. Patient C reported that she had been scared because Ms. Long appeared to be drunk. Ms. Long's speech was slurred, she ran into Patient C's bed and spilled her medicine, and Patient C was unsure what medication Ms. Long was administering.

c. Patient D reported that Ms. Long appeared drunk.

d. Patient E reported that Ms. Long fell onto her bed while providing care.

e. Ms. Long admitted to feeling impaired during her night shift on July 16/17, 2016. She said that prior to her shift she took her regularly prescribed medications as well as a tablet of Percocet (oxycodone/acetaminophen, C-II), which she said she obtained from her son. Ms. Long said she was disoriented and very foggy, and that one of the side effects of her medications is forgetfulness. She said that she is always impaired at work on some level because she takes multiple prescription medications. Ms. Long's psychiatrist said that her prescription medications cause drowsiness.

f. On or about July 17, 2016, Ms. Long submitted to a urine drug screen which was positive for hydrocodone (C-III), morphine (C-II), oxycodone (C-II), and oxymorphone (C-II).

5. During the informal conference, Ms. Long stated that she could not remember her July 16/17, 2016 shift.

6. Ms. Long's employment with ANRC was terminated on July 26, 2016 as a result of this incident. Ms. Long has had three other employment terminations since 2013.

7. Ms. Long violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice due to mental illness, as evidenced by the following:

a. Between October 2014 and July 2016, Ms. Long received treatment at Valley Behavioral Health, Woodstock, Virginia, where she was diagnosed with bipolar disorder, depression,

insomnia, and anxiety. Her psychiatrist said she was a noncompliant patient and that she was discharged from his practice.

b. Between December 28, 2012 and January 1, 2013, Ms. Long was admitted to Sentara Rockingham Memorial Hospital, Harrisonburg, Virginia, where she was discharged with a diagnosis of bipolar affective disorder, type 2.

c. Between February 24, 2016 and February 29, 2016, Ms. Long was admitted to University of Virginia Hospital East, Charlottesville, Virginia, where she was discharged with a diagnosis of bipolar disorder, MRE depressed severe without psychosis.

8. During the informal conference, Ms. Long recognized that she was not safe to practice.

9. Ms. Long questioned her diagnosis of bipolar disorder and stated that she felt better when she was off of her medications. Ms. Long stated that she has not seen a provider since July 27, 2016 and has not taken any medications since September 2016.

10. Ms. Long stated that she is willing to submit to substance abuse and mental health evaluations, to enter into the Health Practitioners' Monitoring Program, and to do whatever the Board requires of her.

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

CONSENT

Tina Ann Long, L.P.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; and the right to representation by counsel;

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 practical 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 as follows:

1. The license of Tina Ann Long, L.P.N., to practice practical nursing is INDEFINITELY SUSPENDED from the date of entry of this Order.

2. The license will be recorded as suspended.

3. This suspension applies to any multistate privilege to practice practical nursing.

4. Should Tina Ann Long, 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. Long to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Long 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. Long's entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP").

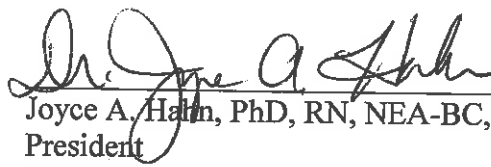
6. Upon receipt of evidence of Ms. Long's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Long's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted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

7. This Order is applicable to Ms. Long's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Long 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.

8. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Tina Ann Long, L.P.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Long 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



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

ENTERED: _____

1/24/17

SEEN AND AGREED TO:

Along
Tina Ann Long, L.P.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Page, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
28th day of December, 2016.



Juanita F. Roudabush
Notary Public

My commission expires: October 31, 2018

Registration No.: 157955

Certified True Copy

By A. Fowler
Virginia Board of Nursing