

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TERESA A. GORMAN, R.N.
License Number: 0001-240171
Case Number: 173113

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on October 11, 2016, in Henrico County, Virginia, to inquire into evidence that Teresa Gorman, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Teresa A. Gorman, R.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated September 9, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Gorman notifying her that an informal conference would be held on October 11, 2016. 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 Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Teresa A. Gorman, R.N., was issued License Number 0001-240171 to practice professional nursing on August 20, 2012, which is scheduled to expire on October 31, 2018. At all times relevant to the findings contained herein, said license was current and active. Her primary state of residence is Virginia.

2. Ms. Gorman 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 in that during the course of her employment with Bon Secours DePaul Medical Center, Norfolk, Virginia, on March 29, 2016, while assigned to provide bedside care to Patient A in the intensive care unit, by her own admission, Ms. Gorman failed to discontinue propofol sedation when the patient extubated himself despite the hospital's clear policy that propofol should only be administered in the intensive care unit to a mechanically ventilated patient. Furthermore, she hung a subsequent bottle of propofol while the patient remained extubated, which continued infusing for more than two hours, despite the facility's warning label on the bottle that it should only be administered while the patient is mechanically ventilated. As the propofol continued to infuse, Ms. Gorman left Patient A and another patient assigned to her in the ICU without a qualified nurse present to monitor the critical patients.

3. With the exception of vital signs and some medication administration, Ms. Gorman failed to document her care of Patient A on March 29, 2016.

4. At the informal conference, Ms. Gorman stated that she believed she was placed in an unsafe work environment on March 29, 2016, due to a lack of adequate staffing in the overflow ICU unit to which she was assigned. However, she stated that she was not assertive enough in requesting additional support from her supervisors and accepted responsibility for the patients regardless.

5. Ms. Gorman violated Virginia Code § 54.1-3007(5) in that during the course of her employment with DePaul on March 29, 2016:

a. At 9:01 a.m. and 2:08 p.m., she removed methadone 10 mg (C-II) from the Pyxis for Patient A but failed to document administration in the patient's medical record and/or wastage of the medication.

b. At 12:43 p.m., she removed hydromorphone 2 mg/1ml (C-II) from the Pyxis for Patient A but failed to account for the administration in the patient's medical record and/or wastage of 1mg of the medication. At 2:44 p.m., she removed 2mg/1ml of hydromorphone from the Pyxis for Patient A and failed to account for the administration of the medication in the patient's medical record and/or wastage of the medication.

c. On March 29, 2016, hospital staff searched Ms. Gorman's belongings and found an empty bottle of Narcan and plastic tubing used for holding controlled substances.

6. Ms. Gorman violated Virginia Code § 54.1-3007(5) and (6) in that on March 29, 2016, she took a for-cause drug screen, which was positive for benzodiazepines and hydromorphone. By her own admission, she ingested a lorazepam tablet (C-IV) that was not prescribed to her and a hydromorphone tablet the night before she was scheduled to work. She explained that she had been trying to reduce her use of diazepam, which she had been prescribed for anxiety, but was experiencing a panic attack and ingested lorazepam that her sister had given her.

7. Ms. Gorman's employment at Bon Secours DePaul Medical Center was terminated.

8. Ms. Gorman is currently employed in the post-anesthesia care unit at Sentara Leigh Memorial Hospital. She stated that Sentara is aware of the March 29, 2016, incident at DPMC but was not aware of her appearance before the Board of Nursing.

9. Ms. Gorman accepted responsibility and expressed remorse for her mistakes. She stated that she has learned a great deal from the experience and has changed her practice as a result.

ORDER

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

1. Ms. Gorman is placed on PROBATION subject to the following terms and conditions: The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Gorman has completed one year of active professional nursing practice. The license shall be reinstated without restriction at the completion of the probationary period, unless there is a pending investigation or unresolved allegation involving a violation of law or regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely until such time as the Board makes a case decision in accordance with the Administrative Process Act (Virginia Code § 2.2-4000 *et seq.*) and Virginia Code § 54.1-2400(9).

2. For the first one year of probation, Ms. Gorman shall only practice professional nursing under the following conditions:

- a. In a structured/supervised practice employment setting pre-approved by the Board
- b. Under the on-site supervision of a Board-approved professional nurse who holds an unrestricted license and works/practices on the same shift.

3. For all current practice employment, and before beginning or changing practice employment during this period, Ms. Gorman shall have current and all prospective practice employers provide a written description of the employment setting to the Board office for approval.

4. Within 90 days from the date of entry of this Order, Ms. Gorman shall provide written proof satisfactory to the Board of successful completion of the following NCSBN courses: (a) *Documentation: A Critical Aspect of Client Care*; (b) *Medication Errors: Causes & Prevention*; (c) *Professional Accountability & Legal Liability for Nurses*; and (d) *Sharpening Critical Thinking Skills*. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

5. Ms. Gorman shall have an evaluation by a mental health and chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 90 days from the date this Order is entered. Ms. Gorman shall comply with any recommendations of the specialist. If therapy is recommended, written quarterly progress reports by the therapist shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Gorman is discharged from therapy. Ms. Gorman shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

6. Ms. Gorman shall submit “Self Reports” which include a current address, telephone number, email address, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self Reports must be submitted whether Ms. Gorman has current practice employment or not. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from the date of entry of the Order and subsequent reports due the last day of the months of March, June, September and December until Ms. Gorman is notified, in writing, that the reporting requirement is ended. Ms. Gorman shall notify the Board within 10 days, in writing, of: any change in address, telephone number, or e-mail address; changes in the location of her practice; additional practice locations; change in employment, including termination, suspension, separation, or other interruption in practice (including the name and address of any new employer and the date of employment); criminal charges or convictions.

7. Ms. Gorman shall provide her current employer/supervisor at each practice location or assignment within 45 days of the entry of the Order, and each future employer/supervisor at each practice location or assignment immediately upon employment with a copy of this Order in its entirety.

8. Ms. Gorman shall ensure that the supervisor shall provide quarterly reports to the Board regarding Ms. Gorman's clinical judgment, clinical performance, recordkeeping, documentation, medication administration, and overall performance. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from the date this Order is entered, and subsequent reports due the last day of the months of March, June, September and December until Ms. Gorman is notified, in writing, that the reporting requirement is ended.

9. Ms. Gorman shall, within 45 days of the date of entry of this Order, return all copies of her license, along with any required fee, to the Board office, and the Board shall issue Ms. Gorman a license marked "Valid in Virginia Only: Probation with Terms."

10. Ms. Gorman shall sign all required medical releases and authorization forms within 60 days of the date of entry of this Order allowing for unrestricted communication between and among the Board and (a) her employer(s) and potential and intended employers and (b) her current and future treating healthcare provider(s).

11. Ms. Gorman shall bear any costs associated with the terms and conditions of this Order.

12. Ms. Gorman shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

13. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of professional nursing shall constitute grounds for further disciplinary action.


14. Failure to comply with all terms and conditions of this Order within five years of the date of entry of the Order may be reason for revoking or suspending the license of Ms. Gorman, and an administrative proceeding shall be held to determine whether to impose such action.

15. This Order shall remain in effect until the Board has notified Ms. Gorman in writing that she is released from Probation and all terms and conditions.

16. The Executive Director of the Board is authorized to issue an Order acknowledging satisfactory completion of the foregoing conditions or to refer the matter to an administrative proceeding for review of Ms. Gorman's compliance with the foregoing conditions.

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



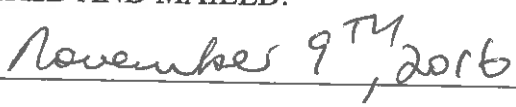
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Certified True Copy

By 

Virginia Board of Nursing

ENTERED AND MAILED:



November 9TH, 2016

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Gorman may, not later than 5:00 p.m., on December 12, 2016, notify 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, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. This Order shall become final on December 12, 2016, unless a request for a formal administrative hearing is received as described above.