

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LINDA SUE RAINES, L.P.N.
a.k.a. Linda Sue Allen Cole
License Number: 0002-052672
Case Number: 173045, 172262, 171350

RATIFICATION AND ORDER

On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Linda Sue Raines, L.P.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.

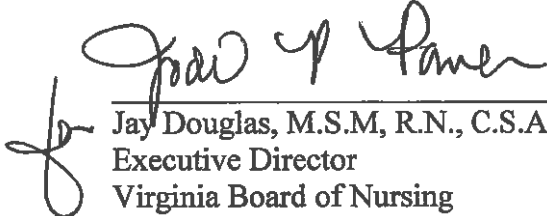
Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

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

Since Ms. Raines failed to appear at the informal conference, this Order shall be considered final. Ms. Raines 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. Raines 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

ENTERED AND MAILED ON:

October 5, 2010

Certified True Copy

By D. Fowler
Virginia Board of Nursing

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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 August 2, 2016 in Henrico County, Virginia, to inquire into evidence that Linda Sue Raines, L.P.N. may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Ms. Raines 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 July 8, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Raines notifying her that an informal conference would be held on August 2, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. The Notice sent by certified mail went unclaimed. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Raines and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Linda Sue Raines, L.P.N. was issued License Number 0002-052672 to practice practical nursing on May 15, 1996, which expired on April 30, 2016. 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 September 10, 2009, the Board of Nursing entered an Order finding Ms. Raines in violation of 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 (“Regulations”) based upon medication and documentation discrepancies, but imposed no sanction. The Order also required she comply with all laws and regulations governing the practice of nursing.

3. Linda Raines, L.P.N. violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice practical nursing due to substance abuse and mental illness, as evidenced by the following:

a. From April 18 to May 2, 2016, Ms. Raines was voluntarily admitted to Lewis Gale Hospital (“LGH”), Salem, Virginia, due to suicidal ideations. Her discharge diagnosis was major depression, recurrent, severe without psychotic features, and opiate dependence.

b. From March 26 to March 31, 2016, Ms. Raines was voluntarily admitted to LGH due to increased depression and suicidal ideations. Her discharge diagnosis was major depressive disorder, recurrent, severe, without psychosis, and suspect opiate misuse/abuse.

c. Ms. Raines’ Prescription Monitoring Program report from March 21, 2015 to March 21 2016 indicates that Ms. Raines was prescribed 570 tablets of 10 mg hydrocodone (C-III), 41 tablets of 5 mg hydrocodone, 102 tablets of tramadol 50 mg, 12 tablets of oxycodone (C-II), 15 tablets of diazepam 2 mg (C-IV), and 180 tablets of methylphenidate (C-II), from 12 prescribers and obtained the medication from 7 pharmacies.

d. On March 1, 2016, Ms. Raines was admitted to day treatment at LGH as a step down from inpatient treatment. She was diagnosed on March 4, 2016 with major depressive disorder, recurrent, severe, without psychosis, and post-traumatic stress disorder.

e. From February 16 to February 28, 2016, Ms. Raines was voluntarily admitted to LGH due to an attempted overdose and increased depression. Her discharge diagnosis was major depressive disorder, recurrent, severe, without psychosis.

f. From December 21 to December 24, 2015, Ms. Raines was admitted under a temporary detention order to LGH due to an attempted overdose and depression. Her discharge diagnosis was Benadryl overdose intentional, history of post-traumatic stress disorder, and depression. According to the Human Resource Manager with LGH, following her discharge on December 24, 2015, Ms. Raines failed to appear for her aftercare appointment scheduled for December 28, 2015.

4. On April 6, 2016, the attending psychiatrist with LGH told the Department of Health Professions investigator that due to several suicide attempts, Ms. Raines is a danger to harming herself and is not currently safe to practice as an L.P.N.

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 right of Linda Sue Raines to renew her license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Linda Sue Raines will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice practical nursing.
4. Should Linda Sue Raines seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Linda

Sue Raines to demonstrate that she is safe and competent to return to the practice of practical nursing. Linda Sue Raines 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 September 1, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By *J. Fowler*
Virginia Board of Nursing