

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **BRANDI J. LAFFOON, L.P.N.**
License Number: 0002-069157
Case Number: 170230

RATIFICATION AND ORDER

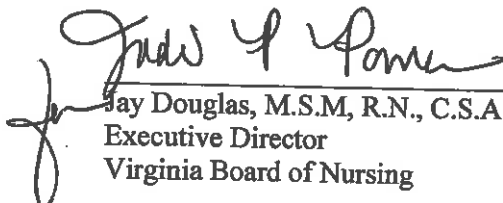
On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Brandi J. Laffoon, L.P.N. was not present nor was she represented by legal counsel.

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.

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

October 5, 2016

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: BRANDI J. LAFFOON, L.P.N.
License Number: 0002-069157
Case Number: 170230

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on July 7, 2016 in Henrico County, Virginia, to inquire into evidence that Brandi J. Laffoon, L.P.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Laffoon 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 June 13, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Laffoon notifying her that an informal conference would be held on July 7, 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 and the Notice sent by first class mail were returned to the Board office marked “unable to forward”. The Notice was also sent to 899 Claudeville Hwy., Claudeville, Virginia 24076, a secondary address, and was returned to the Board office marked “unable to forward”. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Laffoon and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Brandi J. Laffoon, L.P.N. was issued License Number 0002-069157 to practice practical nursing on July 1, 2004, which expired on December 31, 2015, was renewed on July 19, 2016, and is currently scheduled to expire on December 31, 2017. At all times relevant to the allegations herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. Ms. Laffoon violated Virginia Code § 54-3007(2), (5) 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 at Heritage Hall Laurel Meadows, Laurel Fork, Virginia, Ms. Laffoon diverted medications for her personal and unauthorized use, as evidenced by the following:
 - a. Between August 1, 2015 and October 11, 2015, Ms. Laffoon signed out approximately 30 tablets of oxycodone 5mg (C-II) for Resident A and documented administration; however, she failed to actually administer the medication.
 - b. Between September 4, 2015 and October 13, 2015, Ms. Laffoon signed out approximately 11 tablets of oxycodone 5/325mg for Resident B and documented administration; however, she failed to actually administer the medication.
 - c. On October 12, 2015, Ms. Laffoon signed out five Xanax (alprazolam, C-IV) 5mg tablets for Patient C and documented administration; however, she failed to actually administer the medication.
3. When requested to undergo a drug screen by her employer, Ms. Laffoon failed to do so. Subsequently, her employment with Heritage Hall Laurel Meadows was terminated on October 14, 2015.

4. Ms. Laffoon violated Virginia Code § 54-3007(6) in that she is unsafe to practice practical nursing due to substance abuse and/or mental and/or physical illness, as evidenced by the following:

a. Ms. Laffoon reported that from 2011 to August 2015, she received treatment for chronic pain at the Revival Pain Clinic, Elkin, North Carolina, and was prescribed Suboxone (buprenorphine/nalaxone, C-III).

b. On August 13, 2015, Ms. Laffoon requested pain medications from Patrick County Family Practice and was prescribed tramadol (C-IV) and diclofenac (C-VI). On that same date, Ms. Laffoon obtained a prescription for oxycodone from the emergency department at Martinsville Memorial Hospital, Martinsville, Virginia.

5. Ms. Laffoon violated Virginia Code § 54-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on the application for employment with Blue Ridge Nursing Center, Stuart, Virginia, dated October 22, 2015, Ms. Laffoon falsely answered “no” to the question, “have you ever been discharged or requested to resign from a position,” when, in fact, her employment with Heritage Hall Laurel Meadows was terminated on October 14, 2015.

6. Ms. Laffoon’s employment with Blue Ridge Nursing Center was terminated on December 18, 2015, for poor performance.

7. On January 12, 2016, during an interview with an investigator from the Department of Health Professions, Ms. Laffoon reported that she was seeing a new pain management physician who was prescribing oxycodone 20mg four times a day; however, she refused to identify the physician. She also stated that she was unemployed and seeking disability. Ms. Laffoon was provided information on the Health Practitioners’ Monitoring Program. She reported that she has to take

opiates and did not believe the program would be appropriate for her. Therefore, she would not be contacting them.

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. Brandi J. Laffoon is REPRIMANDED.
2. The license issued to Brandi J. Laffoon to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license of Brandi J. Laffoon will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. Should Brandi J. Laffoon seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Brandi J. Laffoon to demonstrate that she is safe and competent to return to the practice of practical nursing. Brandi J. Laffoon 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 August 11, 2016
By Jane Elliott, R.N., Ph.D.
Agency Subordinate

Certified True Copy

By D. Fowler
Virginia Board of Nursing