

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Brandi J Laffoon, L.P.N.
License Number: 0002-069157
Expiration Date: December 31, 2015
Case Number: 170230

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Board of Nursing (“Board”) regarding your license to practice practical nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board of Nursing.
DATE AND TIME:	July 7, 2016 at 1:00 p.m.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:

- If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice practical nursing in the Commonwealth;

- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Board’s Review of Agency Subordinate’s Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Agency Subordinate may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Agency Subordinate will rely in making a decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be considered by the Agency Subordinate when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. Deadline for filing exhibits: June 30, 2016. Submit five copies of all documents you want the Board to consider to Dawnyel Towles, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Dawnyel Towles at the above address: June 30, 2016. NOTE: the failure to object to exhibits does not deprive you of the right to contest their contents at the proceeding.

STATEMENT OF ALLEGATIONS

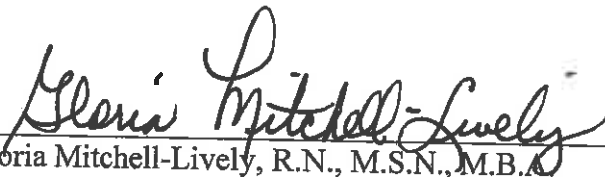
The Board of Nursing alleges that:

1. At all times relevant hereto, Brandi J Laffoon, L.P.N. was licensed to practice practical nursing in the Commonwealth of 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. From on or about August 1, 2015 to 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. From on or about September 4, 2015 to 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 or about 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. 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 in or about 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).

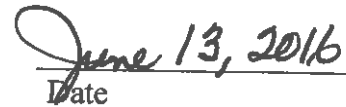
b. On or about August 13, 2015, Ms. Laffoon requested pain medications from Patrick County Family Practice and was prescribed tramadol (C-IV) and diclofenac (C-VI). On that same date, Ms. Laffoon obtained a prescription for oxycodone from the emergency department at Martinsville Memorial Hospital, Martinsville,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

4. 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 or about October 14, 2015.

See Confidential Attachment I for the names of the residents referenced above.



Gloria Mitchell-Lively, R.N., M.S.N., M.B.A.
Deputy Executive Director
Virginia Board of Nursing


Date