

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MILLICENT ANN DAVIS, L.P.N.
License Number: 0002-060042
Case Number: 163374

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on July 21, 2016, in Henrico County, Virginia, to inquire into evidence that Millicent Ann Davis, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Millicent Ann Davis, L.P.N. did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated July 5, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Davis notifying her that a formal administrative hearing would be held on July 20, 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 was delivered on July 8, 2016, and the certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Further, Ms. Davis requested a continuance on July 20, 2016, and her request was denied. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Davis and the formal hearing proceeded in her absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. Millicent Ann Davis, L.P.N. holds License No. 0002-060042 to practice practical nursing in the Commonwealth of Virginia. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.
2. During the course of her employment as Director of Nurses with Greendale Home for the Aged, Abingdon, Virginia, as revealed by an inspection conducted by the Department of Social Services on April 21, 2015:
 - a. Ms. Davis allowed the medication aides under her supervision to re-use glucometers on several different residents without properly sanitizing the glucometers between use.
 - b. Ms. Davis failed to maintain current physicians' orders in the medication administration records for multiple residents. Further, Ms. Davis allowed medication aides under her supervision to continue to administer medication without the physicians' orders.
 - c. Ms. Davis failed to ensure that residents were administered medication within the required time frame in that the 8:00 a.m. medication pass was not completed until 9:40 a.m.
 - d. On April 21, 2015, Ms. Davis allowed a medication aide under her supervision to improperly administer medication, as evidenced by the following:
 - i. The medication aide dropped one tablet of levothyroxine 88mg prescribed daily to a resident. The medication aide threw out the tablet, and did not get a new one to administer.
 - ii. The medication aide failed to administer sodium chloride to a resident, who was prescribed 1 gram daily.
 - iii. The medication aide failed to watch a resident drink her prescribed can of Ensure.

iv. The medication aide administered 12 units plus 10 units sliding scale of Novolog after breakfast to a resident who was prescribed 12 units of Novolog before breakfast. Further, the medication aide administered 68 units of Levemir at 8:30 a.m. to the same resident, who was not scheduled to receive the medication until 10:00 a.m.

e. Ms. Davis allowed the medication aide to administer 10 units of Novolin 70/30 to a resident without documenting administration in the resident's MAR.

3. As a result of these incidents as well as her failure to maintain compliance with all applicable regulations for nursing care at Greendale Home for the Aged and failure to properly identify, manage, and remediate a scabies outbreak after being previously disciplined for the deficiencies found during the April 21, 2015 inspection, Ms. Davis' employment with Greendale Home for the Aged was terminated effective July 16, 2015.

4. Ms. Davis told an investigator for the Department of Health Professions ("DHP") that she could not speak to the medication aides' practice, because they were not under her supervision. However, Ms. Davis' job description listed supervising medication aides as one of her job duties and multiple staff told the DHP investigator that Ms. Davis was responsible for supervising medication aides as well.

CONCLUSION OF LAW

Findings of Fact Nos. 2(a) through 2(e) constitute a violation of Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(d), (f), and (i) of the Regulations Governing the Practice of Nursing.


ORDER

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

1. Millicent Ann Davis, L.P.N. is REPRIMANDED.
2. Within 90 days from the date of entry of this Order, Ms. Davis shall provide written proof satisfactory to the Board of successful completion of the following NCSBN course(s): Delegating Effectively; Disciplinary Actions: What Every Nurse Should Know; Documentation: A Critical Aspect of Client Care; Ethics of Nursing Practice; Medication Errors: Causes & Prevention; Professional Accountability & Legal Liability for Nurses; and Sharpening Critical Thinking Skills.
3. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
4. Ms. Davis shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.
5. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of practical nursing shall constitute grounds for further disciplinary action.

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

ENTERED AND MAILED ON:

August 4th, 2016

Certified True Copy
By dgraham
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.