

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHEILA B. GIBSON, L.P.N.

ORDER

Pursuant to § 2.2-4019, § 2.2-4021, and § 54.1-2400(10) of the Code of Virginia (1950), as amended (the "Code"), a Special Conference Committee ("Committee") of the Board of Nursing met on August 24, 2004, in Henrico County, Virginia, to receive and act upon evidence that Sheila B. Gibson, L.P.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Gibson was not present and was not represented by counsel. Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Sheila B. Gibson, L.P.N., holds License No. 0002-109602 issued by the Virginia Board of Nursing.
2. During the course of Ms. Gibson's employment with Friendship Manor Health Care Center, Roanoke, Virginia:
 - a. Ms. Gibson has violated § 54.1-3007(2), (3), (5) and (8) of the Code, and 18 VAC 90-20-300(A)(2), (e) and (f) of the Board of Nursing Regulations, in that on or about October 30, 2003, a medication count was conducted prior to Ms. Gibson beginning her shift and at the conclusion of her shift which revealed that she documented having administered at least 23 medications to patients on the 2 West unit, when, in fact, the medication was not administered to the 12 patients. The medication count was conducted as a part of the facility's investigation after the

unit charge nurse noted extra medications in patient's medication drawers prior to the pharmacy refilling the medication drawers, and due to an increase in the patients' inappropriate behaviors. The investigation concluded that Ms. Gibson documented having administered these medications to the patients, when, in fact, she did not administer them during her shift.

3. Ms. Gibson has violated § 54.1-3007(2) and (5) of the Code, and 18 VAC 90-20-300(2)(b) of the Board of Nursing Regulations, in that on the following dates Ms. Gibson received coaching/leadership training for specific nursing duties for which she should have knowledge as a licensed practical nurse:
 - a. On or about April 30, 2003, Ms. Gibson failed to take vital signs on two (2) new admissions on April 27 and 28, 2003.
 - b. On or about June 24, 2002, Ms. Gibson failed to perform a treatment as required for a patient.
 - c. On or about May 6, 2002, Ms. Gibson failed to properly confirm and copy readmission orders for a patient. It was noted that Ms. Gibson copied some old orders; however, Ms. Gibson failed to copy several of the new documentation for the patient to include the accu check sheets.
 - d. On or about January 28, 2002, Ms. Gibson failed to change catheter tip syringes or bulb syringes.
 - e. On or about October 7, 2001, Ms. Gibson failed to complete fall assessments and care plans for assigned patients.
 - f. On or about May 25, 2001, Ms. Gibson failed to document "PRN" medications on

patients' MARs.

- g. On or about March 24, 2001, Ms. Gibson failed to notify a patient's family that the patient had sustained an injury.
 - h. On or about March 14, 2001, Ms. Gibson failed to notify her supervisor that a resident fell. Ms. Gibson did not disclose the fall until the beginning of the next shift and should have reported the incident immediately.
 - i. On or about March 7, 2001, Ms. Gibson failed to properly document on a patient's chart. Information on the chart brought to her attention was not an acceptable form of documentation.
 - j. On or about October 9, 2000, Ms. Gibson failed to take patients' vital signs during her shift. Ms. Gibson was advised that the vital signs were to be taken and recorded during her shift.
4. Ms. Gibson has violated § 54.1-3007(2) and (5) of the Code, and 18 VAC 90-20-360(2)(e) and (f) of the Board of Nursing Regulations, in that on the following dates Ms. Gibson was counseled regarding her nursing practice:
- a. On or about April 26, 2003, Ms. Gibson was counseled and a treatment error report was placed in her personnel file for failing to document accu checks conducted for patients.
 - b. On or about March 15, 2003, Ms. Gibson failed to document on the medication administration records (MARs) her administration of medications to patients.
 - c. On or about May 28, 2002, Ms. Gibson failed to administer a duragesic patch to a patient in accordance with the physician's order. Additionally, she failed to

document the administration or non-administration of the patch.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that Sheila B. Gibson, L.P.N., be, and hereby is, REPRIMANDED. Furthermore, Sheila B. Gibson, L.P.N., be, and hereby is, placed on PROBATION subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end upon completion of two (2) years of employment as a licensed practical nurse. The license of Sheila B. Gibson, L.P.N., shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4024 et seq. of the Code of Virginia (1950), as amended.
2. Written reports are required by this Order and shall be sent to the Board office with the first report being received no later than sixty (60) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends, to include:
 - a) Performance Evaluations shall be provided, as detailed below.
 - b) "Self-Reports" shall be provided, as detailed below.
3. Ms. Gibson shall inform the Board in writing within ten (10) days of the date she begins

nursing practice, or changes employment, or any interruption in nursing practice occurs, and she shall provide the name and address of the employer.

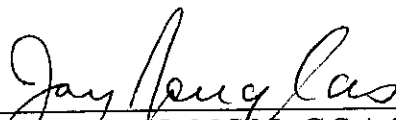
4. Ms. Gibson shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Gibson is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
5. Performance Evaluations shall be provided, at the direction of Ms. Gibson, by all nursing employer(s).
6. Ms. Gibson shall practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first year. This employment setting shall provide on-site supervision by a physician or professional nurse who works the same shift, on the same level of the building; and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Gibson shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.
7. Ms. Gibson shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status, as required in Term No. 3.
8. Ms. Gibson shall return all copies of her current license to practice as a licensed practical nurse within ten (10) days of the date of entry of this Order. Upon receipt of the old license and a \$5.00 fee, the Board shall issue a new license marked "PROBATION WITH TERMS."

9. Ms. Gibson, as a licensed practical nurse shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.
10. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Gibson and an administrative proceeding shall be held to decide whether her license shall be revoked.

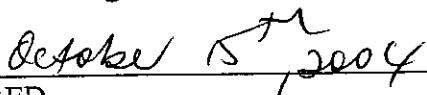
Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code of Virginia (1950), as amended, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

If Ms. Gibson does not consent to the committee's decision and desires a hearing before the Board or a panel thereof, she shall notify, in writing, Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia 23230-1712 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or panel thereof shall then proceed with a hearing as provided in § 2.2-4020 and § 2.2-4021 of the Code of Virginia (1950), as amended.

FOR THE BOARD



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing



ENTERED

Certificate of Service

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Sheila B. Gibson, L.P.N., at P.O. Box 52, Dungannon, Virginia 24245.

Jay Douglas
Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

October 15th, 2004
Date

Certified True Copy
By DL 10/15/04
Virginia Board of Nursing