

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Erika Leigh Walls Billings, R.M.A.
Registration Number: 0031-007545
Case Number: 171869

RATIFICATION AND ORDER

On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Erika Leigh Walls Billings, R.M.A. 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.

FOR THE BOARD

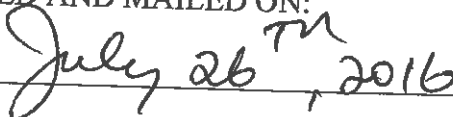


Jay Douglas, M.S.M./R.N., C.B.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Certified True Copy

By 
Virginia Board Of Nursing

ENTERED AND MAILED ON:



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

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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), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 10, 2016 in Henrico County, Virginia, to inquire into evidence that Erika Leigh Walls Billings, R.M.A. may have violated terms and conditions imposed on her registration to practice as a registered medication aides in the Commonwealth of Virginia.

Ms. Billings 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 April 25, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Billings notifying her that an informal conference would be held on May 10, 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 accepted by Ms. Billings on April 27, 2016. As of May 10, 2016, 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. Billings and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Erika Leigh Walls Billings, R.M.A. was issued Registration Number 0031-007545 to practice as a medication aide on March 18, 2014, which expired on September 30, 2015. At all times relevant to the allegations herein, said registration was in full force and effect.

2. By Order of the Board entered February 5, 2014 (“Board’s Order”), Ms. Billings’ application for registration by examination was approved, and she was placed on probation subject to terms and conditions. This action was the result of Ms. Billings’ felony convictions for distribution of cocaine, maintaining a place for the purpose of unlawfully storing and distributing a controlled substance and conspiracy to distribute cocaine in the United States District Court, Western District of Virginia.

3. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(b) of the Board’s Order, which required her to notify the Board within ten days of the date she entered into practice or changed employment. Ms. Billings failed to notify the Board until February 2, 2016 that on July 22, 2015, she left her employment with Hands of Grace Assisted Living.

4. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(d) of the Board’s Order, which required, at her direction, to have performance evaluations submitted to the Board from all of her medication aide employers quarterly by the last day of March, June, September and December. The evaluation due December 31, 2014, was received December 30, 2014; the evaluation due March 31, 2015; was received April 6, 2015, and the evaluation due June 30, 2015, was not submitted.

5. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(f) of the Board’s Order, which required her to not use alcohol or any other mood-altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner-patient relationship and for accepted medicinal or therapeutic purposes, and should she be prescribed any Schedule II-IV

controlled medications, a written report from the prescribing was required to be provided to the Board within ten days of the date the medication was prescribed. Ms. Billings failed to have written reports for the following prescriptions to be submitted timely to the Board:

a. Between July 24, 2014 and January 30, 2015, she received prescription for Lortab (C-III), Percocet (C-II) and Ultram (C-IV), but the prescription reports for these medications were not received by the Board until April 6, 2015.

b. Between April 27, 2015, and June 10, 2015, Ms. Billings received prescriptions for Percocet, but the prescription report was not received by the Board until July 21, 2015.

c. Between February 5, 2014, and February 2, 2016, Ms. Billings received 16 prescriptions for narcotic medications for which prescription reports were not submitted to the Board.

6. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(g) of the Board's Order, which required Ms. Billings to attend Alcoholics Anonymous, Narcotics Anonymous, or other groups acceptable to the Board and to have written evidence of attendance by a sponsor or contact person sent to the Board office within 30 days of each meeting. Ms. Billings failed to have attendances logs sent to the Board in a timely manner. The log due March 31, 2015 was not received until April 6, 2015. The logs due April 30, 2015 through January 31, 2016, were not submitted to the Board.

7. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(h) of the Board's Order, which required her court-appointed probation officer to provide the Board with a written report describing how she was meeting the conditions of her probation within 60 days of entry of the Order. The report was due on April 6, 2014, but was not received by the Board until May 29, 2015.

8. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(i) of the Board's Order, which required her to provide the Board with a certified true copy of her final court order placed on the

record by the court upon completion of her probation. The certified true copy of Ms. Billings' final order was not provided to the Board upon her completion of probation on March 27, 2015.

9. Erika Leigh Walls Billings, R.M.A. violated Term Number 2(k) of the Board's Order, which required her to submit quarterly self-reports to the Board office by the last day of months of March, June, September and December. Ms. Billings' reports due April, June and September 2014, were not received by the Board until December 30, 2014. The report due March 31, 2015, was not received by the Board until April 6, 2015, and the reports due for June, September and December 2015 were not submitted to the Board.

10. On January 30, 2016, Ms. Billings was arrested and charged with lottery ticket larceny and obtaining money by false pretense in Smyth County, Virginia. Ms. Billings is scheduled to make a court appearance on June 9, 2016.

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. Erika Leigh Walls Billings is REPRIMANDED.
2. The right of Erika Leigh Walls Billings right to renew her registration to practice as a medication aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The registration of Erika Leigh Walls Billings will be recorded as SUSPENDED.
4. Should Erika Leigh Walls Billings seek reinstatement of her registration, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Erika Leigh Walls Billings to demonstrate that she is safe and competent to return to the practice of a registered medication aide. Erika Leigh Walls Billings shall be responsible for any fees

that may be required for the reinstatement and/or renewal of the registration prior to issuance of the registration to resume practice.

Reviewed and approved on May 17, 2016
By Nancy Durrett, R.N., M.S.
Agency Subordinate