

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ASHLEY NICOLE CONNER LAFFERTY, R.M.A.
Registration Number: 0031-006040
Case Number: 169371

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. ASHLEY NICOLE CONNER LAFFERTY, 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.

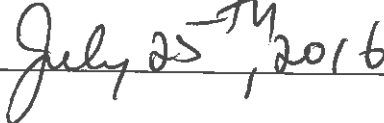
Pursuant to Virginia Code § 54.1-2400(K), the Board considered whether to disclose or not disclose Ms. Lafferty's health records or health services.

Certified True Copy
By 
Virginia Board Of Nursing

FOR THE BOARD


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

ENTERED AND MAILED ON:


July 25th, 2016

Pursuant to Virginia Code § 54.1-2400(10), Ms. Lafferty may, not later than 5:00 p.m., on **August 29, 2016**, notify Jay P. Douglas, MSM, RN, CSAC, FRE Executive Director, Board of

Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

This Order shall become final on August 29, 2016, unless a request for a formal administrative hearing is received as described above.

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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), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on April 19, 2016 in Henrico County, Virginia, to inquire into evidence that ASHLEY NICOLE CONNER LAFFERTY, R.M.A. may have violated certain laws and regulations governing the practice of registered medication aides in the Commonwealth of Virginia.

Ms. Lafferty appeared 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 March 23, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Lafferty notifying her that an informal conference would be held on April 19, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. ASHLEY NICOLE CONNER LAFFERTY, R.M.A. was issued Registration Number 0031-006040 to practice as medication aide on July 19, 2012, which expired on April 30, 2016. At all times relevant to the allegations herein, said registration was in full force and effect. She was also

issued Certificate Number 1401-114875 to practice as a nurse aide on July 8, 2006, which is scheduled to expire on July 31, 2016.

2. ASHLEY NICOLE CONNER LAFFERTY, R.M.A. violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice as a registered medication aide due to substance abuse and mental health issues, as evidenced by the following:

a. On March 18, 2008, Ms. Lafferty was convicted of possession of marijuana in the Roanoke City, Virginia, General District Court.

b. On October 13, 2009, August 18, 2010, October 20, 2015, and November 20, 2015, Ms. Lafferty was convicted of public swearing/intoxication in the Roanoke City General District Court.

c. On January 26, 2015, during an intake session with Blue Ridge Behavioral Healthcare, Roanoke, Virginia, after being referred to this facility by the magistrate as part of her release from jail, Ms. Lafferty admitted that she attempted suicide in March 2014, and that she entered rehabilitation after an overdose in 2000.

d. On August 14, 2015, Ms. Lafferty was admitted to Lewis Gale Medical Center for Behavioral Health, Salem, Virginia, complaining of suicidal ideations. At the time of her admission, she tested positive for tetrahydrocannabinol (THC). Ms. Lafferty was diagnosed with major depression and cannabis abuse.

e. On November 18, 2015, during an intake session with Blue Ridge Behavioral Healthcare, Ms. Lafferty admitted using methamphetamine daily as well as opiates.

3. Ms. Lafferty violated Virginia Code § 54.1-3007(4) in that:

a. On February 2, 2007, May 19, 2008, and August 29, 2008, Ms. Lafferty was convicted of petit larceny in the Roanoke City District Court.

b. On January 8, 2014, Ms. Lafferty was convicted of petit larceny in Salem, Virginia, General District Court.

4. Ms. Lafferty stated at the informal conference that her mother introduced her to cocaine when she was a child. She stated that she had suffered with depression since she was 13 years of age.

5. During the informal conference Ms. Lafferty expressed interest in the Health Practitioners' Monitoring Program. She also expressed several times her desire to get help.

6. Ms. Lafferty stated that she was not currently employed.

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. The registration of ASHLEY NICOLE CONNER LAFFERTY to practice as a medication aide is INDEFINITELY SUSPENDED from the date of entry of this Order.
2. The registration will be recorded as suspended.
3. Should ASHLEY NICOLE CONNER LAFFERTY seek reinstatement of her registration, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on ASHLEY NICOLE CONNER LAFFERTY to demonstrate that she is safe and competent to return to the practice as a medication aide. ASHLEY NICOLE CONNER LAFFERTY 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.
4. The suspension shall be STAYED upon proof of ASHLEY NICOLE CONNER LAFFERTY's entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP").

5. Upon stay of the suspension, ASHLEY NICOLE CONNER LAFFERTY shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

6. Upon receipt of evidence of ASHLEY NICOLE CONNER LAFFERTY's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive ASHLEY NICOLE CONNER LAFFERTY's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted registration.

7. Failure to comply with the terms and conditions of the stay of suspension shall be reason for summarily rescinding the stay of suspension of the registration of ASHLEY NICOLE CONNER LAFFERTY, and the registration shall be recorded as suspended. After any rescission of the stay of suspension, a formal administrative proceeding shall be instituted.

Reviewed and approved on June 22, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate