

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: PARIS PUGH, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-120075

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 5, 2014, in Henrico County, Virginia, to receive and act upon Paris Pugh’s application for reinstatement of her certificate to practice as a nurse aide in Virginia and to inquire into evidence that Ms. Pugh may have violated certain laws governing nurse aide practice. Ms. Pugh was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Paris Pugh, C.N.A., was issued Certificate No. 1401-120075 to practice as a nurse aide in the Commonwealth of Virginia on July 14, 2007. Said certificate was suspended by Order of the Board entered on April 1, 2010. This action was taken as a result of her admitted history of substance abuse.
2. Ms. Pugh submitted an application for reinstatement of her certificate to practice as a nurse aide which was received by the Board on December 2, 2013.
3. By letter dated July 1, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Pugh notifying her that an informal conference would be held on August 5, 2014. The Notice was sent by certified and first class mail to 3209 Oxnard Road, Richmond, Virginia 23223, the address of record on file with the Board of Nursing.

4. Ms. Pugh has an admitted history of substance abuse. She reports that her date of sobriety as April 3, 2014.

5. Ms. Pugh stated to the Committee that she attends Narcotics Anonymous (“NA”) daily and Alcoholics Anonymous two to three times a week. She has a NA sponsor who has 13 years of sobriety and is someone she has known personally for a long time who will hold her accountable.

6. Ms. Pugh currently resides at Home Again, Richmond, Virginia. The program manager provided a letter advising that Ms. Pugh is subjected to random drug screens, and all of her screens have been negative.

7. Ms. Pugh provided a letter from her case manager from Offender Aid and Restoration, Richmond, Virginia, who reported that Ms. Pugh entered their program on July 2, 2014. Ms. Pugh contacts her case manager by phone or in person once a week, and she supports Ms. Pugh’s return to nursing.

8. Ms. Pugh stated that she attends Roots, Rejuvenating Ourselves Out of The System, which is a support group for convicted felons and addicts.

9. Ms. Pugh stated that she is scheduled to enter Richmond Behavioral Health Authority, which manages the Rubicon Outpatient Program, on August 14, 2014.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.
2. The Committee concludes that Ms. Pugh otherwise meets the requirements for reinstatement of her certificate to practice as a nurse aide.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The application of Paris Pugh for reinstatement of her certification to practice as a nurse aide in Virginia is APPROVED.

2. Ms. Pugh shall be placed on PROBATION for a period of 24 months of actual nurse aide practice and subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Pugh has completed 24 months of active practice in employment as a certified nurse aide. The certificate of Ms. Pugh **shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding** 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, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

b. Ms. Pugh **shall 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. Should she be **prescribed any Schedule II-V controlled medication, a written report** from the prescribing practitioner shall be provided to the Board within 10 days of the date the medication is prescribed.

c. Ms. Pugh shall be required to have **2 supervised, unannounced random drug screens** a quarter, from a Board-approved testing entity, which includes testing for alcohol. The Board shall be notified immediately in writing if Ms. Pugh refuses to give a specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

d. Ms. Pugh shall **attend Alcoholics Anonymous and Narcotics Anonymous** and shall have written evidence of attendance by a sponsor or contact person sent to the Board within 10 days of each meeting.

e. **Performance Evaluations** shall be provided to the Board, at the direction of Ms. Pugh, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.

f. **Written reports are required** by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. 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. Many of the required report forms are available on the Board's website for your convenience.

g. Ms. Pugh shall **inform the Board in writing within 10 days of the date any practice employment** begins, changes, is interrupted, or ends. Additionally, Ms. Pugh shall provide a contact name, address, and phone number for each practice employer to the Board.

h. Ms. Pugh shall **inform all current and future practice employers** that the Board has placed her **on probation under terms** and conditions and Ms. Pugh shall provide each practice employer with a complete copy of this Order. If Ms. Pugh is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is **on probation under terms** and conditions.

i. Ms. Pugh shall **provide all current and future treating practitioners with a complete copy of this Order** and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers and any consultants designated by the Board, if applicable.

j. Ms. Pugh shall submit "**Self-Reports**" which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. **Self Reports must be submitted whether Ms. Pugh has current practice employment or not.**


3. Ms. Pugh shall **conduct herself as a certified nurse aide** in compliance with the requirements of Title 54.1, Chapter 30 of the Code.

4. Any violation of the stated terms and conditions contained in this Order, or failure to **comply with all terms of this Order within five years** of the date of entry of the Order, shall be reason for suspending or revoking the certificate of Ms. Pugh, and an administrative proceeding may be held to determine whether her certificate shall be suspended or revoked.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Pugh may, not later than 5:00 p.m., on **October 8, 2014**, notify Jay P. 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, 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.


FOR THE COMMITTEE:



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

ENTERED: September 5, 2014

This Order shall become final on **October 8, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By _____
Virginia Board of Nursing