

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: SHANNA L. ROBERTS, L.P.N.
License No.: 0002-071715**

AMENDED NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Shanna L. Roberts, L.P.N., who holds License No. 0002-071715 which expires on April 30, 2017, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 19, 2016, at 10:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Roberts will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Roberts has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Roberts desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Ms. Roberts may have violated certain laws and regulations governing practical nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Ms. Roberts may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment with Autumn Care of Madison, Madison, Virginia, between February 1 and February 24, 2015, Ms. Roberts diverted narcotic medications from resident supplies and falsified resident records, as evidenced by the following:

a. On 18 occasions, Ms. Roberts removed PRN Vicodin (hydrocodone, C-II) and documented administering the medication to Resident A. On each occasion, Ms. Roberts noted that the resident’s pain was 10/10. No other nurse gave PRN Vicodin to Resident A during this period.

b. On 18 occasions, Ms. Roberts removed PRN Roxicodone (oxycodone, C-II) and documented administering the medication to Resident B. On each occasion, Ms. Roberts noted that the resident’s pain was 8/10. No other nurse gave PRN Roxicodone to Resident B during this period.

c. On 27 occasions, Ms. Roberts removed PRN Roxicodone and documented administering this medication to Resident C. On each occasion, Ms. Roberts noted that the resident’s pain was 8/10. Ms. Roberts gave the medication to the resident three times per shift on five shifts. The resident received PRN Roxicodone only seven times from other nurses during the same period, and no other nurse gave it more than once each shift. In addition, the resident denied asking for the medication more than once per shift.

d. On 13 occasions, Ms. Roberts removed PRN hydrocodone (C-II) and documented administering this medication to Resident D. On each occasion, Ms. Roberts noted that the resident’s pain was 7/10. The resident did not receive PRN hydrocodone from any other nurse during this period. In addition, this resident denied asking for extra pain medication.

e. On 17 occasions, Ms. Roberts removed PRN Vicodin and documented administering this medication to Resident E. On each occasion, Ms. Roberts noted that the resident was unable to rate their pain. No other nurse gave this resident PRN Vicodin during this period.

f. On 15 occasions, Ms. Roberts removed PRN oxycodone and documented administering this medication to Resident F. On each occasion, Ms. Roberts noted that the resident's pain was 8/10. This resident was given PRN oxycodone only once by another nurse during the same period.

g. On 12 occasions, Ms. Roberts removed PRN hydrocodone and documented administering the medication to Resident G. On each occasion, Ms. Roberts noted that the resident's pain was 8/10. During the same period, Resident G received PRN hydrocodone from other nurses only three times, and never more than once per shift.

h. On 11 occasions, Ms. Roberts removed PRN oxycodone and documented administering the medication to Resident H. Ms. Roberts gave the medication to the resident two times per shift on five shifts. On each occasion, Ms. Roberts noted that the resident's pain was 8/10. Resident H received PRN oxycodone only once per shift from other nurses during this period.

i. On 18 occasions, Ms. Roberts removed PRN oxycodone and documented administering the medication to Resident I. On six occasions, Ms. Roberts documented administering the medication to Resident I three times in one shift. On each occasion, Ms. Roberts noted that the resident's pain was 6/10. Over the same period, Resident H received PRN oxycodone from other nurses only four times, and never more than once per shift.

j. On six occasions, Ms. Roberts removed PRN oxycodone and documented administering the medication to Resident J. On each occasion, Ms. Roberts noted that the resident's pain was 7/10. No other nurse administered PRN oxycodone to the resident during this time.

k. On two occasions, Ms. Roberts removed PRN oxycodone and documented administering the medication to Resident K. On each occasion, Ms. Roberts noted that the resident's pain was 10/10. No other nurse administered PRN oxycodone to the resident during this time.

2. Ms. Roberts may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on her application for employment with The Laurels of Charlottesville, dated March 3, 2015, Ms. Roberts indicated that her reason for leaving Autumn Care was "moving to Charlottesville," when, in fact, her employment had been terminated on March 2, 2015 for refusing to submit to a drug test in connection with suspected diversion.

Please see Attachment I for the names of the residents referenced above.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: April 28, 2014