

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: AMY S. JOHNSON, L.P.N.
 License No.: 0002-050240**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on February 24, 2016 in Henrico County, Virginia. Amy S. Johnson, L.P.N. was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 18, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Johnson was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Amy S. Johnson, L.P.N. was issued License No. 0002-050240 to practice practical nursing in Virginia on November 9, 1994. The license expired on November 30, 2015. Her primary state of residence is Virginia.

2. By letter dated January 21, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Johnson notifying her that an informal conference would be held on February 24, 2016. The Notice was sent by certified and first class mail to 1532 Belltown Road, Bedford, Virginia 24523, the address of record on file with the Board of Nursing.

3. During the course of her employment with Campbell Rest Home, Bedford, Virginia, on June 11, 2015, Ms. Johnson diverted approximately 20 tablets of oxycodone (C-II) from a resident's supply for her personal and/or unauthorized use and took the medication narcotic log from the facility to cover her actions. In addition, by her own admission, she falsely documented administration of the medication to the resident.

4. Ms. Johnson's employment with Campbell Rest Home was terminated as a result of this incident.

5. In an interview with an investigator for the Department of Health Professions, and at the informal conference, Ms. Johnson admitted diverting Lortab (hydrocodone, C-II) from several employers. She stated that she consumed diverted Lortab tablets while on duty at Campbell Rest Home.

6. At the informal conference, Ms. Johnson stated that some of the medication that she diverted had been discontinued. However, some of the medication was for residents who had current orders, and in those cases, she substituted Tylenol for the narcotics and falsely documented administering the correct medication to the residents.

7. Ms. Johnson has been diagnosed with bipolar disorder and depression, for which she receives treatment at Piedmont Psychiatric Center.

8. Ms. Johnson does not attend any substance abuse treatment or recovery groups. She is prescribed Zoloft, Lamictal, Ambien, and Adderall.

9. Ms. Johnson stated that she was not sure whether she wanted to renew her nursing license because she was not sure she could handle the stress or that she could be around narcotics. She is currently working as a preschool assistant.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e), and (f) of the Regulations Governing the Practice of Nursing.
2. Findings of Fact Nos. 5 and 7 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Amy S. Johnson to renew License No. 0002-050240 to practice practical nursing in Virginia is INDEFINITELY SUSPENDED for a period of not less than two years.
2. The license will be recorded as suspended.
3. At such time as Ms. Johnson shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of nursing. Ms. Johnson shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice practical nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Johnson may, not later than 5:00 p.m., on June 29, 2016, 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 BOARD:

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

ENTERED: *May 27, 2016*

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

Certified True Copy

By *[Signature]*
Virginia Board of Nursing