

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CANDYCE T. ODIGE, L.P.N. a/k/a CANDYCE FERGUSON-ODIGE

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 June 2, 2010, in Henrico County, Virginia, to inquire into evidence that Candyce T. Odige, L.P.N., a/k/a Candyce Ferguson-Odige may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Ferguson-Odige 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. Candyce T. Odige, L.P.N., a/k/a Candyce Ferguson-Odige, was issued License No. 0002-076889 to practice practical nursing in the Commonwealth of Virginia on October 4, 2007. Said license expires on August 31, 2011.

2. On November 3, 2009, and November 5, 2009, during the course of her employment with Pediatric Services of America (“PSA”), while providing home health care for Patient A, who is non-communicative, non-ambulatory, and requires total care:

a. Ms. Odige failed to perform multiple tasks relating to Patient A’s home health care, including:

- i. failing to administer Patient A’s medications as prescribed by her physician;
- ii. failing to administer nebulizer treatment as prescribed by Patient A’s physician;
- iii. failing to administer Theravest treatment as prescribed by Patient A’s physician;

- iv. failing to perform maintenance on Patient A's tracheostomy and gastrostomy tubes;
- v. failing to provide respiratory suctioning to Patient A;
- vi. failing to change Patient A's soiled diaper; and
- vii. failing to reposition Patient A in her bed.

b. Ms. Odige falsified records relating to nursing care for Patient A by documenting the performance of multiple tasks relating to Patient A's care, including those cited above, even though she had not completed those tasks. Ms. Odige stated at the informal conference that she routinely pre-documented a number of events related to Patient A's treatment plan and provision of care before they actually occurred.

c. Video surveillance of Patient A's bedroom conducted on November 3, 2009, and November 5, 2009, demonstrated that Ms. Odige did not provide care for Patient A and that Ms. Odige spent hours watching television.

d. As a result, her employment with PSA was terminated.

3. Ms. Odige, who admitted failing to administer medication and other treatments to Patient A, stated at the informal conference that she failed to contact PSA to determine the correct course of action regarding late administration of medication and performance of treatments after she did not administer them at the time specified by Patient A's doctor's orders.

4. Ms. Odige admitted that on or about January 1, 2009, during the course of her employment with the Newport News (Virginia) Sheriff's Office, she falsely documented that laboratory work had been performed on a jail inmate when the laboratory work had actually been performed on her. Ms. Odige did not have the authorization to order the laboratory work on herself. Her employment was terminated from the Newport News Sheriff's Office as a result.

5. By her own admission at the informal conference, Ms. Odige falsified her January 2009 application with Consulate Health Care in that she failed to disclose that she had been terminated from the Newport News Sheriff's Office.

6. By her own admission at the informal conference, Ms. Odige falsified her employment application with PSA in that she failed to disclose that she had been terminated from the Newport News Sheriff's Office.

7. Ms. Odige held four nursing positions in two years, three of which ended in termination.

8. Ms. Odige is currently employed by Interim Health Care.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2(a) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Finding of Fact No. 2(b) constitutes violations of §§ 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

3. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

ORDER

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

1. Candyce T. Odige, L.P.N., is hereby REPRIMANDED.

2. Candyce T. Odige, L.P.N., shall be placed on INDEFINITE PROBATION for a period of not less than two years of actual nursing practice and subject to the following terms and conditions:

a. The period of probation shall begin in the date that this Order is entered and shall continue indefinitely. After two years of active employment as a licensed practical nurse, Ms. Odige may request that the Board end this probation.

b. Ms. Odige shall inform the Board in writing within ten (10) days of the date she begins practical nursing practice, or changes employment, or if any interruption in practical nursing practice occurs. Additionally, Ms. Odige shall provide the name and address of each employer to the Board.

c. Ms. Odige shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Odige is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance Evaluations shall be provided, at the direction of Ms. Odige, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than sixty (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.

e. Ms. Odige shall practice nursing only in a structured/supervised employment setting satisfactory to the Board for the first two years after being placed on probation. This employment setting shall provide on-site supervision by a physician, professional nurse, or licensed practical nurse who works the same shift, and holds an unrestricted license. For all current nursing employment and before beginning or changing nursing employment during this period, Ms. Odige shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

f. Ms. Odige shall submit quarterly “Self-Reports” which include a current address, telephone number and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than sixty (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.

g. Ms. Odige shall return all copies of her license to practice as a professional nurse to the Board office within ten (10) days of the date of entry of this Order, along with a payment of a fee of \$5.00. Upon receipt, the Board shall issue a new license marked “Valid in Virginia Only; Probation with Terms” or a certificate marked “Probation with Terms.”


h. Ms. Odige shall conduct herself as a licensed practical nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

i. This order shall be applicable to Ms. Odige’s multistate licensure privilege, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Odige shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Odige wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

j. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Odige and an administrative proceeding shall be held to decide whether her license shall be 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.

FOR THE COMMITTEE



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

ENTERED: June 16, 2010

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.